

THE ENVIRONMENTAL DIMENSIONS OF TRANSFRONTIER AND  
INTERREGIONAL COOPERATION IN EUROPE

by

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Over the past decade Europe's political landscape has been significantly altered by two concurrent phenomena: the reviving of the European economic and political integration process and the emergence of new regional linkages, which both challenge the traditional powers of the State. The present study documents one aspect of growing local and regional autonomy in Europe, i.e., the development of foreign relations between substate authorities across national borders. In particular, it examines the potential impact of such relations on issues pertaining to environmental protection. An assessment of the advantages and limitations of transfrontier and interregional cooperation show that only limited progress has been made on environmental matters and that much remains to be done.

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## CHAPTER I

### INTRODUCTION

Since the Commission of the European Communities decided to revive the process of economic and political integration among its members nearly a decade ago, Europe's political landscape has been significantly altered by two concurrent trends: the growing importance of supranational institutions and the "emergence of new regional<sup>1</sup> structures and relations" (Murphy 1993, 103). Both trends contribute to challenging the traditional powers of the State.

This paper documents one particular aspect of the erosion of State sovereignty "from below" (Kolinski 1984): the multiplication and increased visibility of cooperation agreements concluded by local and regional authorities directly with foreign counterparts. Diplomatic contacts have traditionally been the prerogative of central governments. Forays into what Duchacek (1986) terms "microdiplomacy," are therefore symbolic of the growing emancipation of substate authorities, who would like to become the building blocks of a "Europe of the regions" that could counterbalance both national and European forces.

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<sup>1</sup> The term "region" can be used either in a general sense (for example in a geographical context when talking about the Upper Rhine region) or in an administrative sense, as a subdivision of a given State. When used in a generic, administrative sense the terms "region" and "regional" will designate "the level of government situated immediately below that of the central government, with political representativeness guaranteed by the existence of an elected Regional Council or, failing that, by an association or body constituted at a regional level by the local authorities at the level immediately below" (definition proposed by the Assembly of European Regions 1990). By the same token, the expression "local authority" will be taken as representing any level of government situated below the regional one. When necessary for a better comprehension the exact name (*commune*, *canton*, or *département* in the case of France) will be indicated in the original language and in italics.

Microdiplomacy is an interesting development, because it offers the opportunity to deal with some issues and problems in a potentially more coherent way, than would otherwise be possible at the State level. The environment is a case in point. Indeed, the design of political boundaries has negatively affected many regional ecosystems in Europe (and elsewhere). Paradoxically, ecological units that should be regarded as a whole, such as river basins and mountain ranges, have often been utilized as separation features by emerging political states. After two hundred years of industrial growth and accelerated environmental degradation, it has become obvious that not only such boundary designs have severely compounded the problems of transfrontier ecosystems, they have also complicated remedial or preventive actions by requiring the use of international law mechanisms.

The purpose of this thesis is to assess whether the two main forms of substate relations, i.e., transfrontier and interregional cooperation agreements, can bring significant improvement over the way regional environmental problems have been treated in the past. After presenting the characteristics of subnational contacts and introducing the European supranational context in which such contacts are made, I analyze four main categories of motivations for entering into transfrontier and interregional agreements. From this data I expose what I consider the most serious obstacles to more effective action and point to directions local and regional officials would need to take in order to really improve the quality of their environments.

## CHAPTER II

### LOCAL AND REGIONAL AUTHORITIES IN THE EUROPEAN CONTEXT

This chapter aims at familiarizing the reader with the basic concept of substate cooperation across borders, and situating this type of interaction within the supranational framework of European organizations.

The first section presents the main characteristics of subnational linkages in Europe and defines a number of terms recurring throughout the study. The confusion arising from the less-than-rigorous use of terminology in the field is what makes an effort at conceptual clarity and consistency necessary.

The second and third sections introduce the European context within which local and regional cooperating entities are evolving. Their initiatives have helped to shape, and have been significantly influenced by, the actions of two European organizations: The Council of Europe and the European Communities.<sup>1</sup>

#### Development of Substate Linkages Across European Borders

##### Of Borders and Frontiers

In the course of a study on international politics at the sub-state level, one inevitably encounters the two interrelated, yet distinctive concepts of "border" and "frontier."

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<sup>1</sup>With the notable exception of a report published in 1979 on the topic of environmental protection in border regions, the Organization for Economic Cooperation and Development (O.E.C.D.) has not directly participated in issues of local and regional autonomy in Europe and is therefore not given special attention here. The O.E.C.D.'s main contribution to our topic lies more generally in the treatment of such international environmental law issues as transboundary air pollution and the international transport of hazardous waste.

Although their differentiation has already been the topic of an abundant literature,<sup>2</sup> mostly in the fields of geography and political science, many non-specialists still use both terms and their derivatives (“transborder,” “transboundary,” “transfrontier,” “borderland,” etc.) interchangeably, or without giving an explicit justification for their choice. In some cases, inaccuracy may also simply be ascribed to faulty English translations, since not all languages have separate words for the two concepts.<sup>3</sup>

People usually think in terms of borders or boundaries. In his 1959 landmark article on the “Nature of Frontiers and Boundaries,” Kristof characterizes boundaries as “well-defined,” “inner-oriented” limits that act as “separating factors” between sovereign political units (Kristof 1959, 270-73). A border symbolizes the “outer line of effective control exercised by the central government” (Kristof 1959, 272), and as such is an essential element of the modern, sovereign state model of political organization. Indeed, the linear concept of a barrier “defined and regulated by law” (Kristof 1959, 273) is a relatively recent one. Its emergence can be traced back to the advent of the “nation-state” ideal, which came of age during the French Revolution in the late 18th century and was promulgated thereafter throughout Europe and the rest of the world. Boundaries came to be considered a prerequisite to ensuring the stability of a nation (Bluman 1980, 4).

Before the modern era, limits between different territorial entities were far less precise. Rather than stopping abruptly along a given line, the extremities of the Roman empire dissolved into a zone of transition and contact with outlying areas, the frontier.

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<sup>2</sup> For example, see the references included in Kristof 1959, 269-282.

<sup>3</sup> This is the case in German, where “Grenze” refers both to the notions of border and frontier. The French also commonly use only one word, “frontière,” although, as Kristof (1959, 271) notes, they could distinguish between “limite” and “frontière.” Blumann, a French jurist, prefers referring to “frontière-ligne” and “frontière-zone,” while using “limite” as an all-encompassing notion (1980, 3-33).

Contrary to the border, the frontier is “outer-oriented;” it lies “in front,” “ahead of the hinterland,” and moves forward ; it acts as an “integrating factor.” It is not defined by law, but rather emerges as a “phenomenon of the facts of life” (Kristof 1959, 269-73).

While everybody agrees that borders have largely - one could even say totally - replaced frontiers in the delimitation of state territories, there is no such unanimity in deciding whether frontiers have ceased to exist altogether. Taylor (1989, 145), for example, fits Kristof’s definitions into his world-systems framework and identifies frontiers as “the area between two social systems or entities,” that is between the new world-economy and the systems it is displacing. Imperialism ensured the progression of this frontier around the world, in the American west, as well as in Australia, Africa, and Asia. According to Taylor:

(t)he frontier ended with the closing of the world-system at the beginning of this century. We now live in a world with one system so that there are no longer any frontiers -they are now phenomena of history.

Other authors, however, have argued for the apparition of what they have termed “international frontiers”<sup>4</sup> in the wake of the Yalta Conference. Blumann (1980, 29-31) cites four different types of such frontiers: national, as in the case of the Kurdish nation split across Irak, Iran, and Turkey; civilizational, for instance with the Commonwealth or Panarabism; economical, with the core-periphery division; and finally ideological, although the end of the Cold war has eliminated one of its prime examples.

Although not its main intent, this study shows that there is a reappearance of the notion of frontier at the edges of some states, albeit on a limited scale. The legal and political importance of the border has become so entrenched that frontiers are not replacing, but rather superimposing themselves on, boundaries. It remains to be seen whether the

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<sup>4</sup> See Hall (1948, 42), as noted in Blumann (1980, 29-33).

current attempts at cooperation between regions lying along borders will result in a steady erosion of our rigid separation lines, but the existence of this trend makes it necessary to understand the difference between the two concepts.

To avoid any confusion I will consistently use the term “boundary” (or “border”) and its derivatives when referring to the notion of the dividing line (in the political, administrative and jurisdictional sense), and “frontier” (or its derivatives) when designating the integrative aspects of a zone straddling a boundary.<sup>5</sup> Thus, “frontier” (zone straddling a border) will be different from “border area” (area that is lying along a border within a given state).

#### External Relations of Sub-State Authorities

##### Terminology

Starting in some cases as early as the 1950s, a number of substate authorities and private entities have actively interacted with their foreign counterparts. This study focuses on two forms of cooperation: agreements entered into with partners situated immediately across a border, and agreements concluded between non-contiguous European entities.

The main body of literature deals with the former type of relations, now widely referred to as “transfrontier cooperation.” This umbrella term encompasses all types of crossborder contacts between neighboring substate entities. Given the terminological reasons exposed above, the adjective “transfrontier” is not entirely satisfactory and the expression “frontier cooperation” would seem more appropriate. However, the term “transfrontier” has received wide exposure through the Council of Europe, which probably

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<sup>5</sup> As noted earlier, all authors do not always make a clear distinction between the two concepts, so discrepancies sometimes appear in quoted texts.

avored it as a literal equivalent to the French expression “*coopération transfrontalière*” (French is the second official language of the Council). The term now appears so frequently throughout the literature that I have chose to use it as a synonym to “frontier” cooperation.

In the case of non-neighboring external relations, however, terminological precision leaves even more to be desired and the attempts at classification are still very tentative. “Remote” contacts have long been limited mostly to cultural exchanges between cities or small localities in the context of twinning agreements. With the recent apparition of contacts that involve higher levels of substate authorities and prove increasingly comprehensive in scope, some authors and European lawmakers have started to designate non-adjacent relations as “interregional cooperation.” Although the term itself is spreading rapidly, one finds that different people lend it a different meaning. In some cases, “interregional” is restricted to relations at the *regional* level in the administrative sense<sup>6</sup> (i.e., an agreement between non-contiguous *régions* and *Länder*, for example), whereas in other instances the adjective takes up a more general geographical meaning (i.e., an agreement between non-adjacent “regions”, whatever the actual administrative level might be--*communes, provinces, Bezirke, régions, autonomías, etc.*).

Among European organizations the second use of the term is most widely accepted. The Council of Europe’s 227 resolution on the external relations of local and regional authorities adopted in 1991 approaches an actual definition:

16. Considering also that, in order to fulfill their tasks effectively, local and regional authorities in one state find themselves having to co-operate more and more not only with neighbouring local authorities in another state (transfrontier co-operation) but also with local authorities further afield with whom they share common interests (interregional co-operation), (...)

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<sup>6</sup> See the article by Bernard Perrin (1990), entitled “Ententes inter-régionales : des régions pour l’Europe?”

The European Parliament has adopted the same dichotomy of transfrontier and interregional cooperation in its 1992 Draft Resolution, which is largely inspired by the Council of Europe's work (European Parliament 1992).

Despite the "trend setting" influence of these organizations, I am reluctant to use "interregional" in the wider geographical sense because of the possibilities for confusion or, at the very least, the awkwardness of expression it might create in cases where the level of contacts matters: do we then talk of "interregional cooperation at the local level" or "interregional cooperation at the regional level?" I therefore suggest retaining the prefix "inter" as a general marker for non-contiguous relations, but change the root as need arises: interurban (between cities), interlocal (between subregional entities), interregional (between administrative regions), etc.

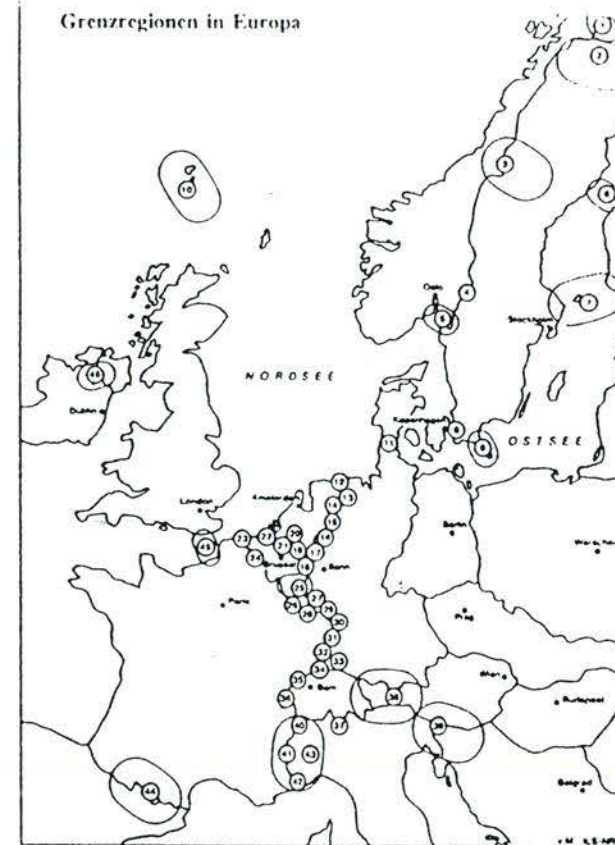
### Transfrontier Cooperation

Some examples of local transfrontier cooperation date as far back as the last century, but the vast majority of today's working agreements has been signed over the past forty years, and in increasing numbers over the past ten. Several of these agreements are the object of a more detailed study in the following chapter, so I will limit myself here to a brief overview of the different levels, degrees, and domains of cooperation generally involved.

Figure 1 illustrates the geographical distribution of cooperation schemes within Western Europe. The map shows that the most active zones of exchange are along the Dutch-German, Dutch-Belgian, Franco-Belgian, and Franco-German-Swiss borders. Areas where cooperation has been steadily gaining momentum over the last years are the mountainous regions of the Alps and the Pyreneans, as well as the Spanish-Portuguese and Franco-Italian borders. As a general rule, Kiss (1980, 187) estimates that zones of intense

FIGURE 1. Transfrontier Cooperation in Europe

- 1 Nordkalotten (N, S, SF)
- 2 Mitt - Norden (N, S, SF)
- 3 Kjølen Gruppen Nordland - Västerbotten (N, S)
- 4 ARKO (N, S)
- 5 Östfold -- Nordliga Bohuslän (N, S)
- 6 Kvarken (S, F)
- 7 Skärgårdsprojektet (S, SF)
- 8 Öresund (DK, S)
- 9 Bornholm -- Sydöstra Skåne (DK, S)
- 10 Vestnorden (DK, FR)
- 11 Åbenrå -- Flensburg (DK, D)
- 12 Ems -- Dollart -- Region (NL, D)
- 13 EUREGIO (NL, D)
- 14 Regio Rhein -- Waal (NL, D)
- 15 Grenzregio Rhein -- Maas -- Nord (NL, D)
- 16 Arbeitsgemeinschaft Kreis Heinsberg -- Limburg (NL, D)
- 17 Arbeitsgemeinschaft Roerland (NL, D)
- 18 EUREGIO Maas -- Rhein (NL, D, B)
- 19 Interlimburg Maasland (NL, B)
- 20 Weert -- Noord -- Limburg (NL, B)
- 21 Kemperland (NL, B)
- 22 BENEJO (NL, B)
- 23 Nord -- Pas de Calais (F, B)
- 24 Lille -- Roubaix -- Tourcoing (F, B)
- 25 Europäische Vereinigung für Eifel und Ardennen (F, B, L, D)
- 26 Arlon -- Longwy -- Esch (F, B, L)
- 27 Planungsgemeinschaft Westpfalz (D, F)
- 28 Saar -- Loiraine -- Lusembourg (D, F, L)
- 29 Planungsgemeinschaft Rheinpfalz (D, F)
- 30 Regionalverband Mittlerer Oberrhein -- Elsass (F, D)
- 31 Regionalverband Südlicher Oberrhein -- Elsass (F, D)
- 32 Interessengemeinschaft Moyenne Alsace -- Breisgau -- CIMAB (F, D)
- 33 Regionalverband Hochrhein -- Bodensee (D, CH)
- 34 Regio Basiliensis (F, CH, D)
- 35 Jura (F, CH)
- 36 Region Lac de Genève (F, CH)
- 37 Ticino (CH, I)
- 38 Arbeitsgemeinschaft Alpenländer (ARGE Alp). (D, A, I, CH)
- 39 Arbeitsgemeinschaft Alpen -- Adria (A, I, YU)
- 40 Region Vallée d'Aoste -- Haute-Savoie -- Valais (I, F, CH)
- 41 Franco -- Italiana della Alpi (F, I)
- 42 Alpazur (F, I)
- 43 Arbeitsgemeinschaft der Kantone und Regionen der Westalpen (CH, F, I)
- 44 Konferenz der Pyrenäenregionen (E, F, AND)
- 45 La Manche -- Dover -- Calais (GB, F)
- 46 Irland (GB, IRL)



Source: Institut für Landes- und Stadtentwicklungsforschung 1984, 26.

cooperation rarely exceed 100 km (62 miles) in width and that, in fact, most of the problems acted upon arise within 10 to 15 km from the border. While this remains true for agreements between local authorities, the more recent involvement of regional governments in several transfrontier organizations has created wider zones of influence.<sup>7</sup>

Transfrontier organizations vary widely in their statutes, composition, methods of operation and membership, but usually fall within three main categories of cooperation: institutional, non-institutional, and mixed.

The most traditional type of institutional cooperation is based on intergovernmental agreements or at least some sort of governmentally sanctioned private agreement. National governments set up special institutions (bi-, multilateral, joint, or sectoral bodies) to carry out the tasks, or they formally delegate these to local and regional authorities under the supervision of central administration representatives. Many intergovernmental commissions have no decision-making powers and can only offer recommendations to their respective supervisors (Ercmann 1987, 27; Freiherr von Malchus 1984, 25). The 1866 Franco-Spanish Treaty on Limits providing "that local authorities shall endeavour to solve disputes about water usage between local residents of different nationality by agreement" offers an example of delegation of decision-making powers by central governments to local authorities. Ercmann notes that for the ensuing fifty years, "Franco-Spanish frontier

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<sup>7</sup> It is interesting to note that the frontier is not a legal concept and that its width cannot be determined in absolute terms: It should vary according to the matters being dealt with. However, the nature of our territorial system is such that even frontiers have to be delimited by precise boundaries and most states will define the width of their respective border areas for internal administrative and legal reasons, such as customs, fiscal and financial regulations, social security legislation applicable to border workers, environmental regulations, etc. (Ercmann 1987, 10). International organizations have also come up with their own recommendations on different issues (siting of nuclear installations, for example). At the sub-national level, the size of a frontier often reflects internal administrative boundaries, since the zone of cooperation covers, but does not exceed, the combined territories of the participating authorities. Even private parties (chambers of commerce, for instance), tend to respect similar administrative limits.

problems have been largely settled on the spot by officials vested with a broad measure of autonomy” (Ercmann 1987, 27). By contrast, on the Franco-Swiss-German border, an exchange of diplomatic notes between the countries’ ambassadors sanctioned the creation of a Tripartite Intergovernmental Commission on Neighborhood Questions in 1975 (Pätzold 1987, 126-7).

In certain cases, institutional cooperation has also developed at the local or regional level without official recognition by central authorities. Whereas, in the above examples, transfrontier contacts obey the principles of international law (the States retain their sovereignty in matters of foreign relations), the legal nature of agreements directly involving sub-national governments is much more difficult to evaluate. Kiss (1980, 209) argues that such interactions are not subject to international law and depend, instead, on the internal administrative law of each party. The disadvantages attached to such an ill-defined legal status are examined in greater detail in chapter IV, but it is useful to note here that State authorities (especially in non-federalist countries) show reluctance in clarifying the legal situation, since they feel suspicious of unsupervised cooperative actions that infringe on their jealously guarded foreign policy prerogatives. Although they easily tolerate or even approve of local agreements, limited in scope, they are wary of the more recent trend towards transfrontier cooperation at the regional level. The Working Community of the Pyreneans is an example of a regional transfrontier organization that has not been officially recognized by central governments since its inception in 1983 and that has experienced operational problems as a result.<sup>8</sup>

Non-institutional cooperation usually involves private organizations such as non-profit associations or chambers of commerce (Kiss 1980, 212). The latter have been very

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<sup>8</sup> See discussion on the legal issues facing transfrontier and interregional organizations in chapter IV.

active in promoting contacts with their foreign neighbors, since the presence of a national boundary and the lack of cross-border infrastructures seriously reduce the business opportunities of local members. Business representatives have also been very successful in involving local elected officials in their efforts. The Regio Rhine-Waal, a private association located on the Dutch-German border, offers an example of a mixed cooperation scheme with private and public participants, i.e., chambers of commerce and municipalities from the two countries (Ercmann 1987, 33).

Contacts between transfrontier actors range from those that are unofficial to ones that are very formal in nature. Many informal contacts involve simple consultation and information exchange about projects impacting both sides of a border. Phone calls, correspondence and private meetings characterize a form of cooperation that does not produce any legal obligations (OECD 1979c, 37-8). Dialog, on the other hand, goes beyond simple consultation, because it implies looking for a solution to a common problem. It may result in mutually accepted agreements, which, while more formalized, are still not legally binding on the parties and largely depend on the goodwill of the participants for their application (OECD 1979c, 38-9). Finally, a third degree of cooperation is achieved with the realization of common projects or the common management of a shared resource. Under these circumstances, the parties involved formally commit themselves to providing financial and personnel resources and they might decide to establish permanent institutional or non-institutional arrangements (OECD 1979c, 39; Kiss 1980, 218-20). Cooperation is often evolutive: It can start very informally between private associations, which then seek the participation of more and more local officials and, in some cases, government representatives, until it becomes officially recognized by an intergovernmental agreement. Thus, the Dutch-German Commission for regional planning, created in 1967, functioned informally until 1976, when it was institutionalized by a bi-national agreement (Ercmann 1987, 31).

Transfrontier cooperation covers a wide range of domains. Only defense, justice and the police, have, for the most part, remained beyond the reach of cooperation. Kiss (1980, 190-205) divides the areas of interaction into two broad categories: the use and protection of natural resources, and regional planning. More recently, a third domain, encompassing culture, education, and research, has become more important.

Historically, the need to ensure equitable use of common water resources has often been the starting point of cross-border contacts. Other water issues include navigation on international waterways, fishing, allocation of water for energy production, water pollution, management and protection of underground water reserves, etc. Air and noise pollution, as well as wildlife and the creation of protected transfrontier natural areas, have also given impetus to cross-border contacts.<sup>9</sup>

Regional planning is another domain that has seen a rapid multiplication of cooperation initiatives across borders despite what Prieur (1979, 108) calls the deeply political character of an activity usually tightly controlled by national authorities (especially in countries with centralized administrative structures). By their dialog, transfrontier organizations often hope to mitigate the potentially damaging impact of clashing regional planning objectives.<sup>10</sup> Among the most commonly addressed issues are the following:

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<sup>9</sup> For examples of transfrontier agreements in the environmental field, see Kiss (1980, 190-96) and the list of 114 local or regional contracts and agreements published by the OECD in 1979 for Europe (OECD 1979c, 65-83). I am not aware of an updated list and cannot therefore assess with any precision the numerical increase in environmental agreements over the past 12 years. My impression, however, is that while the number of single-issue arrangements of the type listed by the OECD has continued to augment, the trend in transfrontier cooperation is increasingly towards the conclusion of broad-range agreements that foster interactions on more than one environmental issue, or in different domains simultaneously.

<sup>10</sup> This may happen, for instance, in the case of a regional government interested in creating a wildlife reserve in a wetland zone along a river, while the foreign local counterpart contemplates building an airport or an industrial park on the opposite bank.

economic development, siting of industrial or energy facilities, operating or building of transfrontier infrastructures (for transportation, waste management, etc.), and delivery of public services in routine or catastrophic circumstances.<sup>11</sup>

The third broad category of cooperation includes cultural, educational and research matters. Local governments or private organizations partake in artistic ventures, such as common scheduling of plays, concerts, or exhibits. As transfrontier associations seek to develop economic opportunities, they also realize the importance of encouraging border populations to become more familiar with the culture and language of the neighboring region. Increasing attention is focused on the creation of educational programs for school-age children, and on teachers and youth exchanges. Similar efforts continue at the university level with the development of student exchanges, as well as the coordination of more and more scientific research projects with other neighboring public and private institutions.

#### Non-contiguous Substate Cooperation

Until the 1980s, institutional contacts between non-adjacent partners were mostly instigated by local authorities and took the form of city or county twinning agreements. First guided by a desire for reconciliation with former European enemies in the wake of World War II, twinnings later assumed a North-South solidarity role, as countries started to gain independence from the colonial powers. In France, development aid continues to represent a major motivation for exchanges in cities, *communes*, and *départements*, but the recent demise of communist regimes has redirected a good portion of such efforts towards Eastern European countries such as Poland, Rumania or the former Soviet republics. It is

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<sup>11</sup> On transfrontier regional planning, see Prieur (1979, 105-143).

difficult to assess the intensity and effectiveness of such actions because their objectives are not always clearly laid out. Much depends also on the local conditions and the good will of the population. Domains of cooperation mostly entail cultural and educational exchanges, direct financial aid or financial assistance to non-governmental or other humanitarian organizations, and the development of commercial and economic partnerships. The latter has actually become an increasingly popular goal of twinning agreements, even among small communities.

The new emphasis on economic development can be felt at all institutional levels, but is strongest among regional governments, which have concluded a score of cooperation agreements with non-adjacent partners over the past decade. A systematic study published in 1992 has shown that, in France, interregional agreements now outnumber transfrontier regional compacts (Luchaire & al. 1992).

Although North-South relations are also present at the regional level, they are not as prevalent as among the lower levels of substate governments (cities and *départements*), perhaps because smaller entities allow a deeper sense of connection and solidarity with Third World communities. A majority of agreements are concluded instead with European and other industrialized regions (North-North relations).

Regions have chosen their partners less in light of cultural or historical affinities, than with economic motivations. Thus, it is the desire to take advantage of their comparable economic and social structures that has brought together four of the most industrialized European regions, Rhône-Alpes, Baden-Württemberg, Catalonia and Lombardy. Other regions with more limited resources follow a different approach and base their alliance on more narrowly defined goals, such as the promotion of one sector of the regional economy. Alliances with remote partners follow the same pattern, but within the larger framework of the world economy. Thus, Provence-Alpes-Côte d'Azur (PACA) has initiated contact with California in the fields of research (applied to health, environmental

protection, agriculture, aquaculture and industry), viticulture, and oenology (Conseil Economique et Social 1992, 63).

It appears that the domains of cooperation are less numerous than in transfrontier relations. It has been argued that interregional cooperation is actually easier to start and develop, because it is possible to concentrate on areas of common interest and to deal only with those issues falling within the scope of respective administrative competencies. By comparison, the global character of problems affecting frontier regions does not leave neighboring governments as much freedom; the urgency of a situation might contrive officials to action, whether it falls entirely within their responsibilities or not (Maier 1990, 308). This is corroborated by the absence of potentially conflictual activities, such as the harmonization of divergent land-use policies or the resolution of environmental disputes, from the agenda of interregional meetings. Regional leaders focus instead exclusively on "conflict-free," mutually beneficial actions, i.e., cultural and educational exchanges, commercial and industrial cooperation, research and development, etc. Environmental cooperation does not reach nearly the same intensity as in transfrontier situations. First, there is no need for the joint management of environmental infrastructures and, second, the distance between partner regions usually eliminates or strongly reduces the element of urgency that might arise from an environmental accident on one side of the border. As in other domains, cooperation in environmental matters depends more directly on the good will of the regional leaders and manifests itself mostly in the form of joint scientific research efforts, technological development or educational projects.

Leaving aside traditional twinning agreements, which concern low-level territorial communities and are very limited in scope, institutional cooperation at the departmental or regional level has most often developed without official recognition by French central authorities. I am not aware of any interregional alliance that has been sanctioned by the conclusion of an interstate agreement, nor of any interregional alliance that derives directly

from the signature of an interstate agreement. In fact, the very legality of sub-state relations has been the subject of a long debate among jurists and legislators and the evolution of the French legislation on this issue is presented below in chapter III. Because of such legal uncertainties--and often also out of conscious choice by substate leaders--the actions agreed upon do not have binding force and depend for their application on the willingness of the participants. The lack of published data makes generalizations difficult, but the same informality apparently applies to organizational matters: each partner usually takes charge of one or several joint working groups (administratively and financially), but no independent body and secretariat is created. Again, this type of operating mode might reflect a preference for flexibility or result from the difficulty of creating a common approach to budgeting when at least one of the partners cannot legally justify a separate budget line.

Substate governments have found two increasingly active partners to assist them in the development of their external relations: universities and economic agents. It is difficult to evaluate how often these have played a locomotive role as opposed to simply jumping on the bandwagon, but their presence in today's non-contiguous contacts is a well-established fact (Conseil Economique et Social 1992).

Universities typically work in conjunction with regional authorities and focus their interventions mainly on the cultural and economic fields. The multiplication of European research networks provides regional decision makers with invaluable information and insights. It also serves the interests of business and industrial partners, since scientists have more and more oriented their efforts towards applied research activities, which allow the development of new technologies and products. Private organizations, such as chambers of commerce and industry, employers associations and chambers of agriculture, have themselves built contacts with foreign counterparts and they see their participation in institutional efforts as an opportunity to find new partnerships. As a result, many official

delegations to foreign communities count business representatives in their ranks. Just as with transfrontier cooperation, the intertwining of institutional, public and private entities is becoming a dominant feature of non-contiguous relations, particularly at the interregional level.

The growing role assumed by the regions is actually one of the characteristics shared by transfrontier and non-contiguous substate relations. The assertiveness of regional authorities might be somewhat less pronounced in transfrontier situations, where management problems have mostly occurred within relatively short distance of the border and therefore required the involvement of local communities. However, even there the regions are stepping up their participation. In both cases, this evolution reflects a gain in political power at the national level, as well as a trend toward placing stronger emphasis on issues relevant to economic development. In this domain, many economists and planners view the regional level as better suited than the local one for the preparation and implementation of development strategies that can be effective within the framework of European and worldwide integration.

#### Supralocal and Supraregional Organizations

In contrast to transfrontier and interlocal/interregional associations, transregional organizations do not engage directly in bi- or multilateral cooperation agreements, but they facilitate the conclusion of such agreements between their members by providing them with technical and legal support, and by acting as information clearing houses. They also engage in lobbying activities on behalf of their members at the national and European levels. They have lately focused most of their attention on European institutions with the goal of influencing the current integration process.

According to the transregional organization's declared focus, membership is open to any local and/or regional authority, or limited to those substate governments that possess

certain locational or economic characteristics. To the first category belong the International Union of Cities and Local Authorities (IUCLA), an organization created in 1913, and the Council of European Municipalities and Regions (CEMR), founded in 1951 by a group of big city mayors. The Council boasts 30,000 members among local governments throughout the EC, Austria and Switzerland. Despite its name, the Council still represents primarily the interests of local communities (Labasse 1991, 166-7). Both organizations have seen their influence reduced by the apparition of the Assembly of European Regions (AER) in 1985. Launched by the French politician Edgar Faure, a vocal advocate of a federalist Europe, the AER counted already over 180 member regions in 1990. Very active lobbying activities have turned the AER into a frequent interlocutor of the European Communities and the Council of Europe. The Assembly of European Regions' growing influence does not sit well with the IUCLA and the CEMR, which consider that the AER's strong stance in favor of a privileged role for the regional level runs counter to local authorities' best interests.<sup>12</sup>

The second category of transregional organizations represents special local or regional interests. A few examples include the Conference of Peripheral Maritime Regions, the Association of Traditional Industrial Regions of Europe and, more importantly here, the Association of European Border Regions (AEBR). Since its inception in 1969, the AEBR "has concentrated on discussing and representing the specific border problems and cross-border concerns of the member regions" (Assembly of European Regions 1990, 29). It now counts 52 border regions, which have formed 32 different transfrontier associations throughout Europe.

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<sup>12</sup> For additional information on the rivalry between local and regional authorities, see the section on political motivations in chapter III and the final section of chapter IV.

Impact of The Council of Europe on  
Local and Regional Cooperation

In postwar Europe, the Council of Europe probably has the longest history of support for local authorities' autonomy and cooperation. Scott (1989, 141) also credits it with going "farthest in studying ways of removing political and legal obstacles to transboundary cooperation."

The Council, which has as its main goal to promote cooperation and protect human rights and democratic principles among its twenty-six member states, realized early on it could not fulfill its mission solely through a top-down, state-centered approach. It needed, instead, to include local and regional levels of authority in order to generate genuine public support (Freiherr von Malchus 1984, 28; Dupont 1984, 16). Not only did the Council of Europe recognize the importance of sub-national participation; it also put a special emphasis on local transfrontier interactions as a means of overcoming the peculiar problems of border regions, which are deprived of a "hinterland" and often relegated to a peripheral zone status by their central governments. In addition, these areas carried a value as pilot studies in European unity. They could be local testing grounds for increased cooperation at the wider, pan-European level through better knowledge of and respect for the particularities of neighboring regions (Freiherr von Malchus 1984, 25).

Actions in Support of Local Autonomy and Transfrontier Cooperation

Among the various Council of Europe's bodies involved in different aspects of transfrontier cooperation, the Standing Conference of Local and Regional Authorities of Europe (CLRAE) has played an instrumental role in promoting a better legal and political definition of sub-state governments' powers. Created in 1957 as the European Conference of Local Authorities, the assembly was later enlarged to include regional authorities. Its

408 delegates representing local and regional governments from all twenty-six member countries convene once a year in a plenary session, while a secretariat, a standing commission, and five working commissions ensure the continuity of the Conference's action year round (Council of Europe 1992, 43).

One important aspect of the CLRAE's work has been in the field of local autonomy. In its Resolution 64 (1968), the Conference presented the Committee of Ministers with a declaration of principles on local autonomy, which, however, was not acted upon as it appeared too general to serve as the basis for specific actions. In 1981 a new CLRAE resolution (126) demanded the drafting of a European Charter on Local Autonomy. The Charter, adopted in June 1985, is the first legal and multilateral instrument that sets forth basic rules geared towards guaranteeing the political, administrative, and financial independence of local authorities. In fact, it even conveys the idea that the degree of autonomy granted to local governments is a measure of true democracy in a given State (Martins 1990, 325-327). As of 1990, 17 countries had signed the Charter, but only 10 had ratified it (France has failed to do so).

Beside strengthening local autonomy in general, the Council of Europe--again, largely at the instigation of CLRAE--has focused much attention on the legal aspects of transfrontier cooperation. The European Outline Convention on Transfrontier Co-operation Between Territorial Communities or Authorities, opened for signature in May 1980, seeks to "outline the general, legal and common bases on which bilateral co-operation would be founded in the framework of the national sovereignty of each country" (cited in Partl 1984, 82). Although the final version of the Convention stops short of the initial aspirations and includes a series of non-binding clauses, it still fills a gap by acknowledging a principle that, while not expressly prohibited, is not officially recognized in all countries' legal systems: territorial communities should be entitled to some degree of cooperation across borders (Partl 1984, 83-84; Freiherr von Malchus 1984, 31). In addition, it places the

emphasis on direct cooperation at the local level with the presentation of a graduated system of model agreements “ranging from simple consultation to the establishment of permanent organizations” (Hansen 1984b, 140). Although the models are only appended to the Convention, they present local and regional communities with a choice of legal documents they can adapt to their own situation. They also reflect the evolving nature of contacts that often start very informally before becoming more and more institutionalized, as the complexity of issues and desire for political and administrative recognition increase (Hansen 1984b, 140). Several of the countries that have signed the Outline Convention have made their ratification contingent upon the adoption of declarations subjecting the Convention’s application to the previous conclusion of interstate agreements. This is the case for France, Spain, and Italy, the latter also limiting the territorial scope of the instrument to areas directly adjacent to a foreign state or lying no more than 25 km from its border (Council of Europe 1989a, 3-7).

The Council of Europe has also taken transfrontier cooperation into consideration in other areas of action, most notably in the field of regional planning. The European Conference of Ministers Responsible for Regional Planning, known under the French acronym CEMAT (standing for *Conférence Européenne des Ministres responsables de l’Aménagement du Territoire*) has included discussions of transfrontier issues in several conferences since its creation in 1970. Its goal of promoting the harmonious development of European regions through cooperation in planning has led to the adoption of a European Regional Planning Charter. The 1983 document mentions border areas and transfrontier cooperation explicitly:

Frontier areas<sup>13</sup> more than all others need a policy of co-ordination between states. The purpose of such a policy is to open up the frontiers and institute

transfrontier consultation and co-operation and joint use of infrastructure facilities. States should facilitate direct contacts between the regions and localities concerned in accordance with the European Outline Convention on Transfrontier co-operation between territorial authorities in order to promote increasingly close contacts between the populations concerned (Council of Europe, cited in Part I 1984, 80).

Until 1991, the Council of Europe's action, while considerable, presented a severe limitation, since all documents mentioned above dealt exclusively with transfrontier cooperation, leaving non-contiguous relations aside. This limitation could be attributed to the relatively recent evolution of the latter from simple twinning agreements to more comprehensive cooperation programs and the usually long reaction time of big international organizations. Resolution 227(1991) of the CLRAE on the external relations of local and regional authorities is the first one explicitly to include contacts with non-neighboring governments, what the Council names "interregional cooperation."<sup>14</sup> Beside recommending a strengthening of the 1980 European Convention on transfrontier cooperation, the CLRAE

instructs its Committee on Structures, Finance and Management to draw up a preliminary draft convention on interregional co-operation, to be submitted to the Committee of Ministers (...) (Council of Europe 1991).

To my knowledge, no such convention has been adopted yet, but a January 1992 report from the Council confirmed that "a convention on interregional cooperation beyond frontiers" is indeed in preparation (Council of Europe 1992, 44).

Beside forging legal instruments, the Council of Europe has fostered local and regional interactions through the organization of several symposia and conferences on

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<sup>13</sup> This quote is a typical example of terminological approximation. The expression "frontier area" is redundant since a frontier, by definition, is already a zone (see *supra*, section on terminology). In fact, it would have been more accurate to talk of "border area" and, one line below, replace "frontiers" by "borders."

<sup>14</sup> As a reminder, by "interregional", the Council of Europe means non-neighboring relations both at the local and regional level, whereas I chose to use this adjective only in the second case (see *supra*, section on terminology).

European frontier regions held under the auspices of the Parliamentary Assembly and the CLRAE. The final declarations adopted at the end of each conference emphasize the progress accomplished to date and present the demands of the participants, “elected representatives of border regions and municipalities, politicians, representatives of economic and social life in border regions, officials and experts in frontier questions (...)” (Council of Europe 1987c, 2). Most of these demands are key elements in the European regions’ claims to greater autonomy and will be detailed in the next chapter.

#### Legal and Political Impact of the Council of Europe’s Action

Some have argued that the Council only enjoys a limited influence and that the apparent willingness of governments to sign the 1980 Convention might only reflect what Strassoldo calls the “advantage of weakness” (Strassoldo 1983, 133). Since the Council of Europe’s Conventions and Charters are not legally binding on the parties until ratified by their national parliaments, and, whenever they acquire binding force it remains difficult to control their implementation, a State’s signature does not necessarily ensure its compliance. This certainly is an important limitation on the Council’s effectiveness, but even this situation has its positive sides. Had there been more stringent enforcement powers, States might have been much more reluctant to acquiesce to the Council’s proposals and the organization might have been led to adopt an even more cautious approach to the issue. Under any circumstances, the simple fact that several governments have thought necessary to subject their approval of a Charter to the addition of restrictive declarations, while arguably reinforcing the suspicion of weakness, also proves that the States are wary of ignoring the Council’s recommendations altogether. A blunt refusal could indeed lend them a bad public image on the international scene.

In addition, the Council of Europe can be credited with attracting the central governments’ attention on regional autonomy and cooperation very early on. It has

identified the specificity of border areas' problems, and has underlined their "integrative function" and value as a "showcase for the problems and potentialities of European integration" (Strassoldo 1983, 127, 134).

Finally, perhaps one of the most positive aspects of the Council's action lies in the steady support it has granted to subnational authorities' demands for increased recognition. By proposing a set of much needed legal solutions, the Council has offered useful tools to non-central governments (Scott 1989, 142). Three transfrontier organizations created in the early 1980s, the Working Community of the Pyreneans, the Association of Western Alpine Cantons and Regions (COTRAO) and the Working Community of the Jura, have modeled their statutes after one of the standard agreements appended to the 1980 European Outline Convention on Transfrontier Cooperation.<sup>15</sup> The international organization's efforts have also granted more weight and legitimacy to sub-state authorities' claims and encouraged them to group forces in order to push their own agendas on both the national and supra-national level.

#### Local and Regional Cooperation in the Context of European Integration

Among European transnational organizations, the European Communities have a special impact on the issue of substate cooperation for a number of reasons. First, the very idea of border removal lies at the core of the EC mission. The Common Market was created in the late 1950s with the hope that economic interdependence would bring European countries together and lessen the risk of future wars. Since then, the EC have constantly pushed for a complete removal of internal barriers to trade and have made

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<sup>15</sup> See CLRAE Resolution 133 (1982) on the Conference of Pyrenean Regions; CLRAE Resolution 143 (1983) on the co-operation of the Alpine regions.

significant headway in the elimination of physical barriers, such as border controls for goods and persons.

Second, most of the European institutions' actions are legally binding on the twelve member States. There are several types of legislative instruments set out in Article 189 of the 1957 EEC Treaty. Three of them, regulations, decisions and directives, have binding force. The first two are binding in their entirety and are directly applicable in all member States. This means that they become law in the member States without any action on the part of member State governments (Commission of the European Communities 1986). Directives, by contrast, are only binding with respect to the result to be achieved and member states need to take steps to ensure their implementation; however the choice of form and methods is left to the national legislatures. Their flexibility, which allows for the accommodation of national procedures and respects the desire of member states to keep a certain degree of autonomy on sensitive questions, explains why they have been the most commonly used instrument. Unlike the Council of Europe, the EC can hold their members accountable for the enforcement of European legislation and defer cases of non-compliance to the European Court of Justice in Luxembourg.

Third, the proposals presented by the Commission of the European Communities for completing the internal market, have largely shaped the economic, social, and political debate in Europe since the mid-1980s. Following the lead of European business, local and regional authorities have adroitly picked up on the theme of European integration to advance their own claims for increased power and autonomy.

After summarizing the main aspects and general anticipated impacts of the current integration process, I will look at the EC regional policy and their approach to local and regional cooperation across borders.

## European Unification Process

The idea of creating a single market among European countries was already clearly spelled out in the Treaty of Rome (1957) instituting the European Economic Community. However, after more than twenty-five years of at times difficult progression, a true “Common Market” still did not exist. Many of the original barriers remained: obstacles to the free movement of people, varying technical specifications, health and safety standards, differences in indirect taxation and diverging environmental regulations, to name but a few.

In the early 1980s, a fairly depressed economy pushed the Heads of State and Government of the twelve member states to ask the Commission of the European Communities for concrete proposals to complete the European integration process. The resulting changes happened in three main stages. In June 1985, the Commission published the so-called White Paper, a “blue print of 282 directives governing everything from industrial standards and food safety to company law, banking regulations, vocational training, and public procurement” (LaFranchi 1992, 10). The deadline for implementation was set for December 31, 1992. In 1987, the Single European Act (SEA) was adopted to amend the 1957 Treaty of Rome and provide the European institutions with the institutional tools necessary to fulfill their task. Finally, in February 1992, the Heads of State took an ambitious step forward with the signature of the Treaty of European Union, popularly known as the Maastricht Treaty. This document, which augments the powers of the Communities, modifies institutional structures, and institutes an “Economic and Monetary Union,” is still at the ratification stage. It has raised much controversy in most Member states and probably faces significant modifications before final approval by the twelve national parliaments. <sup>16</sup>

### Economic Impact of European Unification

In an effort to assess the potential economic impact of removing the Communities' internal market barriers, the Commission requested a study to be conducted by a large number of independent economic experts, consultants and research institutes under the direction of Paolo Cecchini. The resulting 6,000 pages on "the Cost of Non-Europe" concluded that the considerable political effort required to enact the White Book's recommendations was well worth the "significant improvement in the Community's macro-economic performance" that was to be derived from the "numerous micro-economic measures proposed (...)." The elimination of the remaining barriers to trade consisting essentially of "differences in technical regulations between countries (...), delays at frontiers (sic) for customs purposes (...), restriction on competition for public purchases (...) and restrictions on freedom to engage in certain service transactions" in other EC countries, was deemed to foster European enterprises' efficiency and create a more competitive environment, in which they could innovate (Commission of the European Communities 1988b, 17).

The 1988 Cecchini Report estimated that potential economic gains could total over ECU 200 billion,<sup>17</sup> which would add about 5% to the EC Gross Domestic Product (GDP). In the medium term it predicted a deflation in consumer prices by an average of 6% with the creation of two to five million new jobs (depending on accompanying macro-economic

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<sup>16</sup> For more information on the White Paper and the Single European Act, see Commission of the European Communities 1985 and 1987a; for a description of the Maastricht Treaty's contents, see the articles by de la Serre, Raux, and de Boissieu 1992.

<sup>17</sup> The European Currency Unit (ECU) is the official accounting unit of the European Communities institutions. It is calculated from a pool of currencies participating in the European monetary system and roughly amounts to \$1.20.

measures), economies in public sector costs equivalent to 2.2% of the GDP, and an increase in EC trade with other countries by about 1% of GDP (Commission of the European Communities 1989, 12-15).

Since 1988, these forecasts, which could not take into account the new economic situation brought about by the radical political changes in Eastern Europe, have proven almost ridiculously optimistic. There has been a sharp increase in the overall unemployment rate over the last couple of years and the real GDP growth rate is skidding to an anticipated 1% for 1993 (LaFranchi 1992). However, the Cecchini Report's relevance lies less in its accuracy than in the incentive it has provided to economic and political leaders anxious to go forward with the implementation of the Commission's plans. It also asserted plainly what European integration was overwhelmingly about: providing a serious boost to the European economy.

#### Environmental Impact of Unification

Where economists and industrialists see major opportunities for economic growth, many European environmentalists have become wary of what such growth would mean in terms of added ecological pressure on already heavily polluted ecosystems. In 1972, the Club of Rome's declaration about the limits to growth asserted that

(...) economic expansion is not an end in itself: its first aim should be to enable disparities in living conditions to be reduced.... It should result in an improvement in the quality of life as well as in standards of living. As benefits the genius of Europe, particular attention will be given to intangible values and to protecting the environment so that progress may really be put at the service of mankind (cited in Haigh 1989, 44).

As Haigh notes, more than a decade later such European "genius" is absent from the White paper and the Cecchini Report. Many have indeed argued that the new dispositions introduced in Title VII of the 1987 Single European Act are not extensive enough to hold

potential environmental damages in check.<sup>18</sup> They see the desire to eliminate obstacles to trade and distortions of competition as the primary rationale for the EC' legislative action and fear that the adoption of uniform environmental standards might result in an actual lowering of overall protection to an average level.<sup>19</sup>

A 1992 special edition of the German newsmagazine *Der Spiegel* entitled "Europe Without Borders: Danger For The Environment" (in translation), offers an overview of environmentalists' most often voiced concerns. The list runs from the difficulties in harmonizing environmental legislation and the risks deriving from the adoption of lower technical standards to the prospects of a relaxed control over hazardous waste transport and a dramatic surge in commercial truck traffic, including continued damage to soils and water resources through industrial agriculture and the accentuation of regional economic imbalances (Europa Ohne Grenzen 1992). A number of these issues are of particular relevance to substate cooperation initiatives and are subsequently presented in more detail.<sup>20</sup>

### European Communities' Regional Policy and Institutions

#### European Communities' Initial Approach to Regional Issues

For a long time, the European Communities have concerned themselves very little with the problems of border regions, the promotion of local autonomy, regionalization, and decentralization (Strassoldo 1983, 133). There are several reasons for such a reluctant

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<sup>18</sup> The reader interested in learning more about the legal and institutional changes brought about by the adoption of the Single European Act to EC environmental policy in 1987 can consult Charpentier (1988), Prieur (1989), Lavoux (1990), and Romi (1990).

<sup>19</sup> See Europa Ohne Grenzen 1992, 9-18.

<sup>20</sup> In particular, see the section on environmental motivations for cooperation in chapter III.

involvement in sub-state regional affairs. Strassoldo suggests that the EC might have considered their involvement a low priority, since the Council of Europe was already very active on local and regional issues. He also points to an “over-restraint syndrome,” or “weakness of the strong,” to qualify the cautious attitude the powerful EC have often adopted on issues of State sovereignty so as not to stall European construction (1983, 133). Raux underlines that the goals and mechanisms embodied in the 1957 Treaty of Rome were primarily conducive to a state-centered dialog:

The Community has long ignored territorial communities. The Treaty's logic was not conducive to a close relationship. Liberalism, coupled with a free trade philosophy and the degree of centralism necessary for European construction, have justified privileged contacts with the member States (Raux 1990, 341, in translation).

Finally, the EC' approach to regional issues has been overwhelmingly based on economic criteria at the expense of any others. The official typology of EC regions, as well as the identification of problem areas, are both gauged exclusively by economic standards (Strassoldo 1983, 133; Clout 1987, 23). As a consequence, the EC' institutions have long paid attention to border regions' problems “only to the extent that they were economic ones” and did not consider these areas as problem regions in their own right (Strassoldo & Delli Zotti 1982, 16; Burtenshaw 1976, 46-7). This situation was compounded by the fact that the territorial competence of the EC are limited to the member States' territories. Therefore, the regional policy only took internal EC borders into consideration and neglected peripheral frontiers that were even more likely to experience economic difficulties. In the absence of special attention to transfrontier problems, better economic integration seemed to offer a panacea to regional disparities (Strassoldo 1983, 133).

#### Successive Reforms of the EC Regional Policy

In 1973 the Commission published a report on the regional problems encountered in the newly enlarged Communities. The “Thomson Report” identified very significant

socio-economic imbalances among the nine member States and provided the impetus for devising a distinct European regional policy, which was officially established in 1975. Its main instrument, the European Regional Development Fund (ERDF), allocates money to various projects or programs involving regions<sup>21</sup> that have particular problems or characteristics, with the goal of correcting the main economic imbalances within the Communities. Over the years, the ERDF has undergone a number of reforms in an attempt to improve what many critics have described as a largely insufficient performance. Detailing the successive modifications of the EC regional policy goes beyond the scope of this paper,<sup>22</sup> but I will point out to a few innovations that have at least indirectly affected transfrontier and interregional cooperation.

The first one brought about a move away from a strictly sectoral distribution of aid to a more integrated approach (Gouguet 1989, 89-90).<sup>23</sup> The Commission wished progressively to phase out the financing of individual projects to replace them

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<sup>21</sup> The term "region" as used by the EC does not correspond to the definition of subnational territorial units I have adopted in the general introduction to this study. The Statistical Office of the EC has established a Nomenclature of Territorial Units for Statistics (NUTS) that provides a uniform break-down of the member countries' territories for purposes of data collection and policy making. For practical reasons, the NUTS nomenclature is based primarily on the administrative divisions currently in force in the Member States. However, this three-level hierarchical classification of regions (NUTS 1, NUTS 2, NUTS 3) does not always correspond to the national realities of some countries and adjustments have been made (see Table 1). It may be noted that regional entities, as defined in the general introduction, for the four case study countries do not all belong to the same NUTS level: German *Länder* are NUTS 1, whereas Spanish *Autonomías*, French *régions*, and Italian *regioni* are NUTS 2. This disparity results from the desire of EC authorities to subdivide the Member States territories into units of comparable size (Commission of the European Communities 1991, 83).

<sup>22</sup> For more information on this topic, see, among others, Wise & Croxford 1988, 175-181; Commission of the European Communities 1992; Gouguet 1988, 9-13; and Gouguet 1989, 71-117.

<sup>23</sup> The general trend has also been towards a better integration of environmental considerations into regional policy decisions (Priour 1991, 219). Many environmentalists have protested EC regional policy and, in particular, the type of big infrastructure projects

TABLE 1. Correspondence Between NUTS Levels and National Administrative Divisions in the European Communities

Member State	NUTS 1		NUTS 2		NUTS 3	
Belgique/België	Régions	3	Provinces	9	Arrondissements	43
Danmark <sup>1</sup>	—	1	—	1	Amter	15
BR Deutschland <sup>2</sup>	Länder	11	Regierungsbezirke <sup>3</sup>	31	Kreise	328
Ellada	Groups of development regions <sup>4</sup>	4	Development regions	13	Nomoi	51
España	Agrupacion de comunidades autonomas	7	Comunidades autonomas + Melilla y Ceuta	18	Provincias	52
France	Zeat + DOM	8 1	Régions	22 4	Départements	96 4
Ireland	—	1	—	1	Planning regions	9
Italia	Gruppi di regioni <sup>4</sup>	11	Regioni	20	Provinciae	95
Luxembourg	—	1	—	1	—	1
Nederland	Landsdelen	4	Provincies	12	COROP-Regio's	40
Portugal	Continente + Regioes autonomas	3	Comissaoes de coordenaçao regional + Regioes autonomas	7	Grupos de Concelhos	30
United Kingdom	Standard regions	11	Group of counties <sup>4</sup>	35	Counties/Local authority regions	65
EUR 12		66		174		829

<sup>1</sup> A breakdown of Denmark into three regions is given in most of the tables and maps.

<sup>2</sup> Regions of the former GDR not yet included (5 *Länder*, 15 *Bezirke*, 218 *Kreise*).

<sup>3</sup> 26 *Regierungsbezirke* + 5 *Länder*, not subdivided into *Regierungsbezirke*.

<sup>4</sup> Grouping for Community purposes.

Source: Commission of the European Communities 1991

sponsored by the ERDF, which has consistently failed to properly assess the tremendous environmental impact of its actions. Despite some recent improvement, most observers would still agree that real changes have yet to come. For more information on this topic, see Oft Belogen Und Betrogen 1990, and Europa Onhen Grenzen 1992, 141-46, 150 on ERDF policy's impact in general; see Coordinadora 1992, 91-96 on ERDF's development projects in Extremadura (Spain).

with coherently conceived multi-annual programmes of fund investment. These were to be interrelated packages of projects evolving within the context of an overall development strategy. Such programmes would be devised by local and national bodies in close cooperation with the Commission as part of an effort to make the ERDF generate a genuine Community policy rather than remain a minor source of subsidy for separate member-state policies (Wise & Croxford 1988, 177).

After drawn-out negotiations, new ERDF regulations came into force on 1 January 1985. They confirmed the creation of integrated development schemes, even though such projects amounted to only 20 percent of the total fund (Gouguet 1989, 89-90). Three types of programs were instituted: 1) Integrated Development Operations (IDOs), such as the Integrated Mediterranean Programs (IMPs) launched in 1986; 2) National Programs of Community Interest (NPCI), which are initiated at the national level, but can receive ERDF funding because of their impact on the reduction of regional disparities; 3) and Community Initiatives (CI), i.e., multi-annual measures intended to help solve serious socio-economic problems affecting a number of regions and states. Table 2 presents the CI proposed by the Commission and adopted by the Council of Ministers since 1986.

The second significant trend concerns the start of a more direct dialogue between the Commission and sub-state authorities in matters of regional policy. A joint declaration by the Council of Ministers, the Commission and the European Parliament from 18 June 1984 stated:

The three Institutions agree on the advantages, with due regard for the internal competence of the Member States and the provisions of Community law, of more efficient relations between the Commission of the Communities and regional or, where applicable, local authorities. This will enable regional interests to be better taken into account when regional development programmes and assistance programmes are drawn up.

Encouraged by this recognition, territorial communities, with the help of transregional associations, the Council of Europe and the European Parliament, pressured the Council into creating a Consultative Council of Local and Regional Authorities attached

TABLE 2. Community Initiatives

Community Initiatives	EC Contribution (million ECU)	For Period	Objective
Star	780	1987-91	to improve the access of regions lagging behind to advanced telecommunications services
Valoren	400	1987-91	to contribute to regional development by a better use of endogenous energy potential
Resider	300	1987-91	to contribute to the conversion of regions affected by the restructuring of the steel industry
Reneval	200	1988-92	to assist the conversion of regions affected by the restructuring of the shipbuilding industry
Rechar	300	1990-93	to accelerate economic adaptation in coal mining areas
Envirreg	500	1990-93	to address the environmental problems of the Mediterranean basin and other regions lagging behind
Regis	200	1990-93	to accelerate the diversification of the economies of remote territories
Regen	300	1990-93	to accelerate the installation of gas and electricity transmission networks in certain regions
Euroform, Now, Horizon	600	1990-93	to promote vocational training
Stride	400	1990-93	to raise the capabilities of the regions in the field of research and technological development
Prisma	100	1990-93	to help enterprises located in regions lagging behind to meet particular challenges arising from the completion of the internal market
Telematique	200	1990-93	to develop advanced telecommunication services for business
Leader	400	1990-93	to promote rural development
Interreg	800	1990-93	to promote transfrontier cooperation

Source: Commission of the European Communities 1991, 56-59.

to the Commission.<sup>24</sup> The 42 members comprising the body are local or regional elected officials chosen by the Commission on the joint recommendation of the Assembly of European Regions, the Council of European Municipalities and Regions and the International Union of Cities and Local Authorities (Solima 1990, 331).

The Council's official role is limited to emitting opinions on regional development when consulted by the Commission. It has sought to expand its responsibilities somewhat by formulating recommendations on matters affecting subnational authorities in areas other than regional policy (Gewählte Europäische Regionalkammer befürwortet 1991). However, the solely consultative function of the Council, as well as the designation procedure for its members, falls short of the local and regional authorities' aspirations and the new "Committee of the Regions," provided for in the 1992 Maastricht Treaty, fails significantly to address these concerns. The Committee would again have only advisory status and its members would be designated by the national governments.

#### Actions and Policies Fostering Substate Cooperation Across Borders

While the reforms of the regional policy brought improvement in the relations between subnational authorities and the European institutions, the fate of border areas continued to receive little specific attention. Transfrontier cooperation was not neglected altogether, but earlier efforts mostly consisted in financing studies for transfrontier regional development programs initiated by the regions concerned and drawn up under the aegis of a pilot committee including regional representatives as well as Commission and government officials. The third periodic report on the regions' socio-economic situation, published in 1987, mentioned the case of "frontier regions" and acknowledged that differences in legal,

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<sup>24</sup> See Council Decision 88/487/EEC, 6 September 1988, Official Journal of the European Communities L, Brussels.

administrative, tax, and social security systems, as well as inadequate coordination in economic matters, hampered relations between neighboring border areas. However, the report limited the brief discussion to internal EC boundaries and went on to conclude that

(t)hese acknowledged shortcomings in frontier regions are not, however, so serious that they necessarily give rise to special employment and income problems that justify their being classified generally as assisted areas (Commission of the European Communities 1987b, 50).

In the meantime, the European Parliament, which enjoyed greater freedom of action by virtue of its limited institutional powers, had taken up the issue of transfrontier cooperation, thereby following the lead of the Council of Europe. In 1976, it adopted a resolution supporting the creation of regional transfrontier associations called "Euro-Associations" and endowed them with extensive decision-making competencies (Romus 1981, 71). The proposal was deemed too ambitious and was never acted upon, but it did not deter European parliamentarians from further advancing the cause of cooperation.

In fact, since the institution of direct European elections in 1984, the European Parliament has become one of the main arenas in which the regions can advocate their positions. Many European representatives are highly sympathetic to the idea of a democratization of the European institutions from "below," especially since such democratization could lead to reinforcing the powers of the European Parliament as well. They have repeatedly prodded the Council of Ministers and the Commission to ratify<sup>25</sup> the 1980 Outline Convention on Transfrontier Co-operation and generally to reinforce the EC' cooperation with the Council of Europe. Although the Member States continue to drag their feet on the topic of the Convention's ratification, the pressure exerted by the Council

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<sup>25</sup> The European Communities, as an international organization, have the right to partake in international conventions. Ratifying the Outline Convention would automatically make all Member States parties to the agreement and bind them legally as to its application on their respective territories.

of Europe and various transregional associations, combined with the internal actions of the European Parliament and the Consultative Council of Local and Regional Authorities, led to the launching of the INTERREG Community Initiative in July 1990.

The Commission describes INTERREG's role as promoting

cooperation between the areas adjoining existing frontiers to ease the integration of their economies. (...) This initiative provides for a wide range of possible actions, laying the emphasis on adapting and reorienting existing agencies rather than sectoral intervention. (...) For all borders, the full involvement of regional and local authorities, in consultation with national authorities, is promoted as a means of mobilizing local population (Commission of the European Communities 1991, 58).

INTERREG presents two important innovations. It is the only Community aid program whose budget (ECU 800 million for 1990-1993) is not divided along national lines, but distributed among the eligible frontiers. Eligible are adjoining border areas at the NUTS 3 administrative level, which belong to the categories of lagging regions, declining industrial areas, and rural areas,<sup>26</sup> with priority given to the first category (Commission of the European Communities 1990c, 1, 3). The second innovation consists in taking into consideration internal, *as well as external*, border regions. This means that some financing can be provided to non-EC border regions that are included in transfrontier programs with EC-member regions. The amount of assistance for the accepted programs varies according to the size of the population concerned, the participating regions' development level, and

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<sup>26</sup> The EC' Structural Funds, composed of the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund-Guidance section (EAGGF-Guidance), and the European Regional Development Fund (ERDF), distribute funding to regions on the basis of five objectives set out by the Framework Regulation: 1) promoting the development of regions lagging behind economically; 2) converting the regions seriously affected by industrial decline; 3) combating long-term unemployment; 4) facilitating the employment of young people; 5a) speeding up the adjustment of agricultural structures to the Common Agricultural Policy objectives; and 5b) promoting the development of rural areas. Since the 1987 reform of the EC regional policy, the ERDF's financial assistance goes primarily to the regions eligible under the objectives 1, 2, and 5b. This also applies to the INTERREG initiative, which therefore is mostly, but not only, funded by the ERDF (the other two Structural Funds may participate in programs falling within their own areas of action).

the quality of the proposal. It does not exceed 75 percent of the total program costs (Commission of the European Communities 1990c, 3).<sup>27</sup>

A support program called LACE, Linkage Assistance and Cooperation for the European border regions, offers technical assistance services to the authorities trying to set up an INTERREG project. The EC finance LACE (ECU 1,5 million for a three-year period), but leave its administration to the Association of European Border Regions (Veser 1991). This is one example of increased interaction between the European institutions and transregional organizations.

The main drawback of the INTERREG initiative is that it only concerns transfrontier interactions and fails to take non-contiguous cooperation into account. The creation of programs geared towards information exchange and the sharing of “know how” between territorial entities somewhat attenuates this imbalance by providing funding for projects that involve communities from two or more Member countries and are not necessarily adjacent to each other. The scope of these programs is more limited than INTERREG: they mostly support the organization of meetings, conferences, exhibits and expert groups, or the realization of joint publications on a wide range of topics ranging from public affairs, transportation, and R&D, to environment, business, and tourism. They offer a second example of privileged cooperation with transregional organizations, since the projects selected and partly financed by the Commission are managed by the Assembly of European Regions, the Council of European Municipalities and Regions, and the International Union of Cities and Local Authorities (Commission of the European Communities 1990b).

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<sup>27</sup> For more information on INTERREG, see also Commission of the European Communities 1990d.

Although still no program comparable to INTERREG exists in the domain of non-contiguous cooperation, a recent document presented to the European Parliament might enhance the awareness of Commission members on this issue. The May 1992 report on "transfrontier and interregional cooperation," prepared by John Cushnam from the EP's Committee on Regional Policy and Planning, contains a draft resolution that specifically addresses the necessity of strengthening non-contiguous cooperation by encouraging local and regional authorities to define their own needs and by giving them assistance in the design and development of common projects (European Parliament 1992). The resolution, which is again largely influenced by the work of the Council of Europe<sup>28</sup> and other organizations supporting substate relations, confirms the role of the European Parliament as the privileged interlocutor and strongest advocate of local and regional governments within the European Communities' institutions.

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<sup>28</sup> In particular Resolution 227 (1991), which was the first one to deal also with "interregional cooperation."

### CHAPTER III

#### SUBNATIONAL AUTHORITIES' MOTIVATIONS FOR TRANSFRONTIER AND INTERREGIONAL CONTACTS

Imperatives of global and regional interdependence have not only directly affected the perceptions and policies of the national centers but have trickled across permeable boundaries down to the component autonomous communities in federal or significantly decentralized democratic systems. Threats and opportunities, perceived as resulting from interdependence, have step by step induced subnational governments to not only seek information about the international scene but also an active role in the management of those issue areas in international relations which are not directly concerned with national security and diplomatic status (both clearly the domain of the national center) (Duchacek 1988, 24).

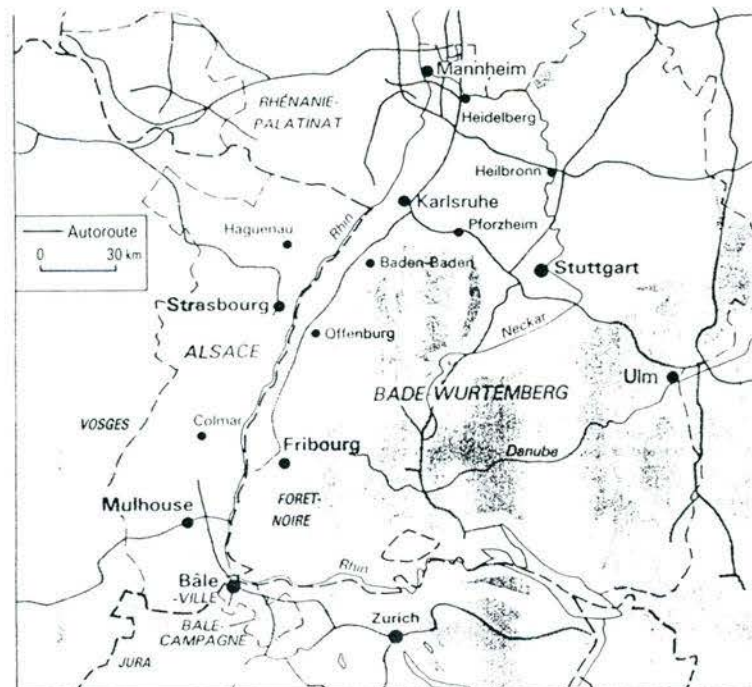
Duchacek's remarks on global and regional interdependence offer a starting point for looking into local and regional authorities' motivations in their pursuit of transfrontier or interregional contacts. I chose to group the motivations identified in four broad categories: political, cultural, economic, and environmental. Since it would prove too lengthy to present an exhaustive list of the factors influencing cross border exchanges throughout Europe, I have limited myself to a study of three cooperation examples: two case studies of transfrontier cooperation in the Upper Rhine and the Pyrenees, and one interregional agreement involving the regions of Rhône-Alpes, Baden-Württemberg, Lombardy and Catalonia. The chapter starts with a brief presentation of the three case studies, and then examines the main motivations for cross border relations in each of the four categories mentioned above.

## Transfrontier Cooperation In The Upper Rhine

### Elements of Geography, History, and Economy

The Upper Rhine valley has been widely lauded as one of the earliest and most successful examples of transfrontier cooperation over the past thirty years. Geographers usually define the “Upper Rhine” as the section lying upstream from the junction of the Rhine river with the Main, and administratively divided between the French region of Alsace, the German *Länder* of Rhineland-Palatinate and Baden-Württemberg, and the Swiss half-cantons of Basle Town and Basle Country (Strasbourg Metropolitan Planning Agency 1986, 3). The 35 km wide and 350 km long geological subsidence plain is encased between the Vosges mountains on the Western side, the Jura in the South, and the Black Forest in the West (figure 2).

FIGURE 2. The Upper Rhine Valley



Source: Agir ensemble 1991, 23.

H.K. Schneider (1986, 3) underlines the greatness of the region's history as the "center of the Holy Roman Empire under the Salian kings," "the land preferred by the Staufer and Zähringer kings and (...) the land of origin of the Habsburgs." During the Middle Ages and the Renaissance, the Rhine helped carry the cultural exchanges that made the valley an important center of the Humanist tradition under the influence of Erasmus of Rotterdam and Beatus Rhenanus (Meyer 1989, 20-22). The years 1353-1354 saw the creation of a union of ten independent cities, the Decapolis, which received the protection of the Holy Roman Empire. Despite several attempts to unify the region, however, there has never been a kingdom or a state in the Upper Rhine (Meyer 1989, 21). The 1501 accession of Basle to the Helvetic Confederation started a long process of political division, which continued with the 1648 annexation of Alsace by Louis XIV of France. By the 1800s the last exclaves in the Confederation (Mulhouse and the region around Breisgau, Istein and Schliengen) disappeared and were attached to France and the Duchy of Baden-Württemberg. While the Swiss border has remained stable since then, the Franco-German boundary has been mired in a series of conflicts which have caused the Alsatian region to change hands four times over the past 120 years.

The Rhine, which receives the waters of the Main, the Neckar and the Ill, has always been an important axis of communication. It has served as a trading route to Central Europe since the Middle Ages, but its economic significance increased even more after the completion of major course regularization works started by Tulla at the beginning of the last century. The resultant protection of the area against flooding allowed more intensive settlement of the countryside, increased agricultural production through controlled irrigation, and expanded industrial activity (Konferenz Oberrheinischer Regionalplaner 1979, 11).

The place of longest and most intensive transfrontier cooperation in the Upper Rhine lies within the territory of the "Regio", an area generally defined as encompassing

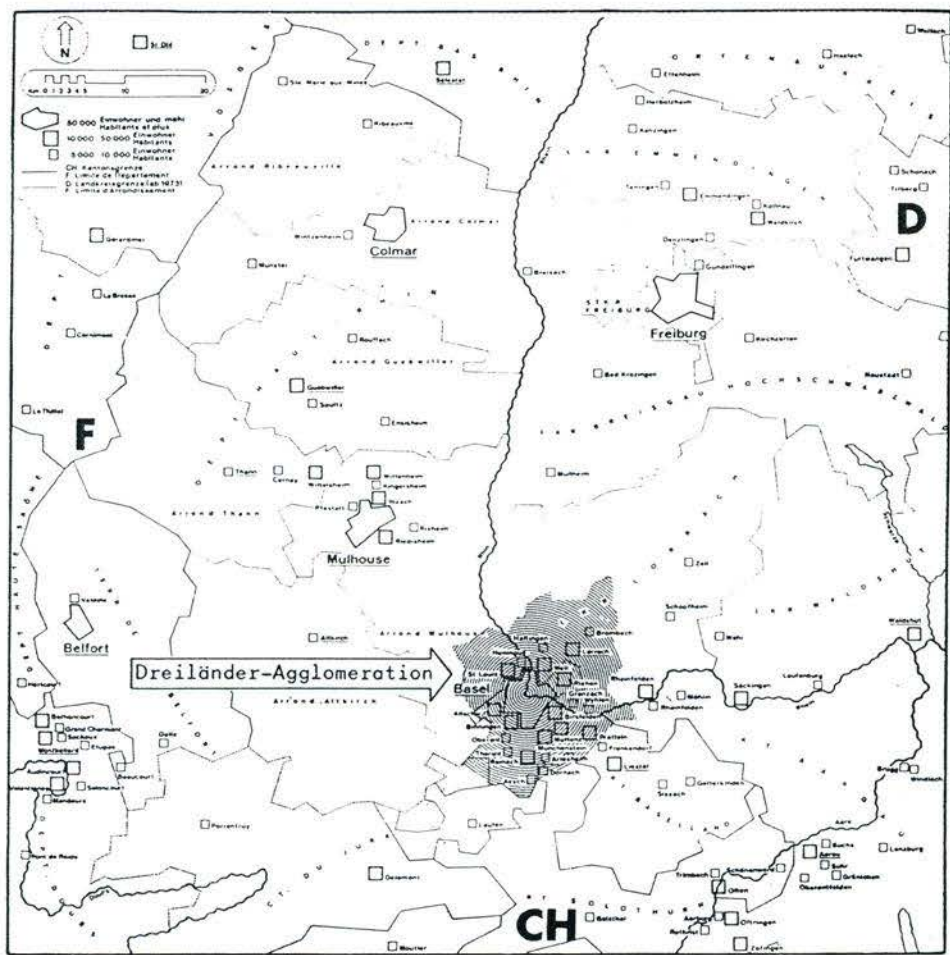
the half-cantons of Basle Town and Basle Country, and parts of the Jura, Solothurn and Aargau cantons; the six *arrondissements* of the Upper Alsace around Mulhouse and Colmar, and the Belfort territory; and, finally, all or part of five districts in Southern Baden extending slightly north of Freiburg (figure 3). Over 2 million people live in the area (770, 000 in the French Upper Rhine *département*, 750, 000 in Southern Baden, and 580, 000 in Northwestern Switzerland), with the highest concentration centered around Basle in what is often referred to in German as the “Three corners” area (“Dreiländereck”).

The region boasts very high employment levels and an impressive gross regional product of Ecu 40 billions -roughly \$46 billion (Rodger 1991). On the Swiss side, the economy is dominated by the chemical industry. Mechanical and electrical construction constitute another main industrial activity. The service sector is strongly represented by banking, insurance, and transportation companies, whereas agriculture employs less than 8,000 people in the area. The primary sector is twice as large in the other two regions. Upper Alsace is the least developed area industrially, and offers jobs mostly in low-growth traditional industries such as textiles and clothing. The car industry also plays an important role, primarily because of a Peugeot plant near Mulhouse. South Baden hosts some of the same industries, but has been a more important base of high tech activities (aeronautics and space industry, electronics, telecommunications, data processing). Both areas' service sectors have a strong wholesaling component (Rodger 1991, 21; Agir ensemble 1991, 23). The strong vitality of the Basle agglomeration and its need for labor, especially in the chemical industry, attract an important flow of transfrontier workers from Alsace and South Baden.<sup>1</sup>

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<sup>1</sup> More informations on transfrontier worker flows in the region are presented in the section on economic motivations infra.

FIGURE 3. The Regio



Source: Regio Basiliensis 1989, 4.

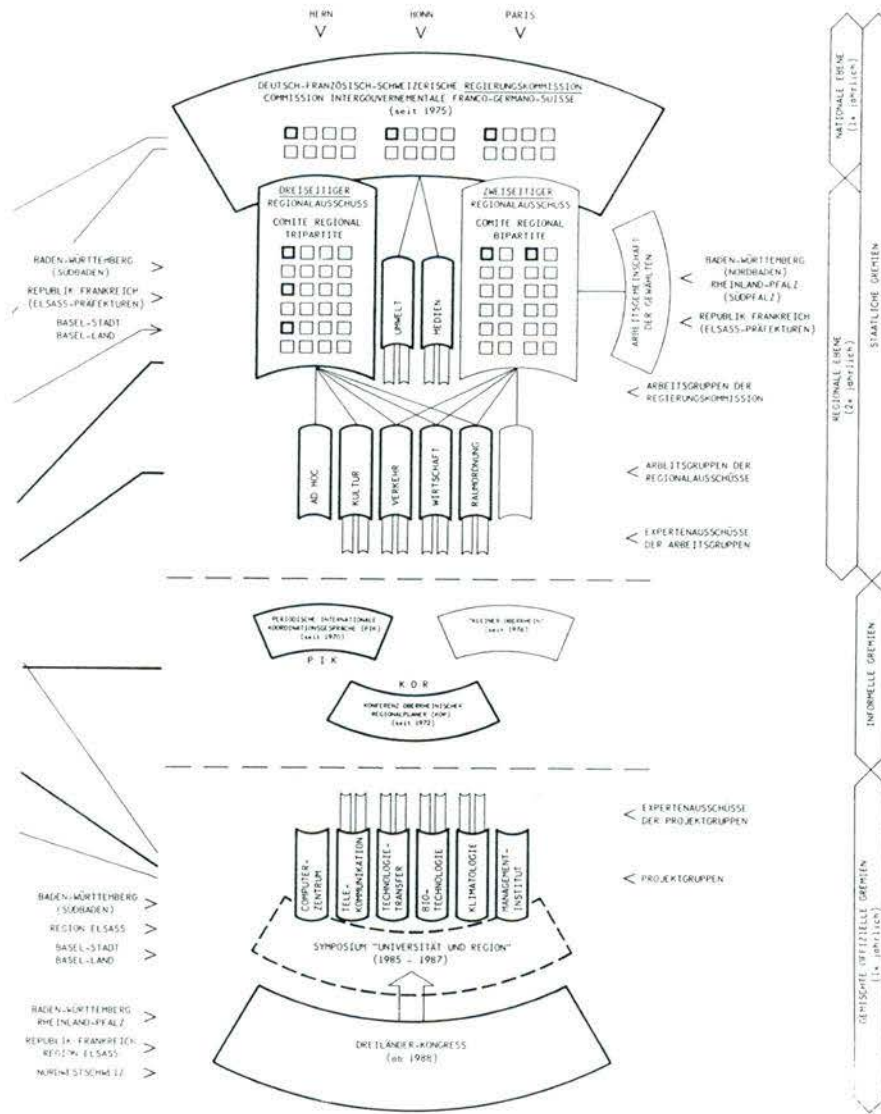
### The Development of Transfrontier Cooperation in the Upper Rhine

The literature on transfrontier cooperation points to the Upper Rhine as one of the most successful examples of contacts established in Europe over the past 25 years. There, private local interest groups have created a dense network of informal relations, which have also resulted in official cooperation at the intergovernmental level (Scott 1989, 140).

Cooperation got its official start in 1963 with the founding of the "Regio Basiliensis," an organization regrouping private members (local business and industrialists, planning experts) as well as public officials from the cantons of Basel-Town and Basel-Country. Basler economic actors originally took the initiative to ensure that their French and German neighbors would continue to provide the land and labor the city's industry needed to guarantee its continued expansion. This "unabashedly self-serving" goal was soon modified to eliminate suspicions of an exploitative agenda and Regio Basiliensis leaders started to espouse a commitment to promoting the prosperity of the Upper Rhine valley as a whole (Koch 1974, 33-34).

After 1963, numerous informal contacts across the French border resulted in the creation of the "Regio du Haut-Rhin," with headquarters in Colmar. Built on the same model as its Basler partner, the Alsatian organization also intended to promote cooperation, while counterbalancing the dominant position of the Swiss city in the region (Scott 1989, 146-7). The Upper Rhine Regio, however, carried only limited political power because of the strongly centralized French administrative system and the absence of key administrators from its working groups. Shortly after the creation of the Haut-Rhin Regio, a third, but informal, branch, the South Baden Regio, came into existence (Koch 1974, 35). Over the years it underwent organizational changes and it exists in its current form as the Freiburg Regio Society since 1985.

FIGURE 4. Tripartite Cooperation in the Upper Rhine



Source: Regio Basiliensis 1988, 13.

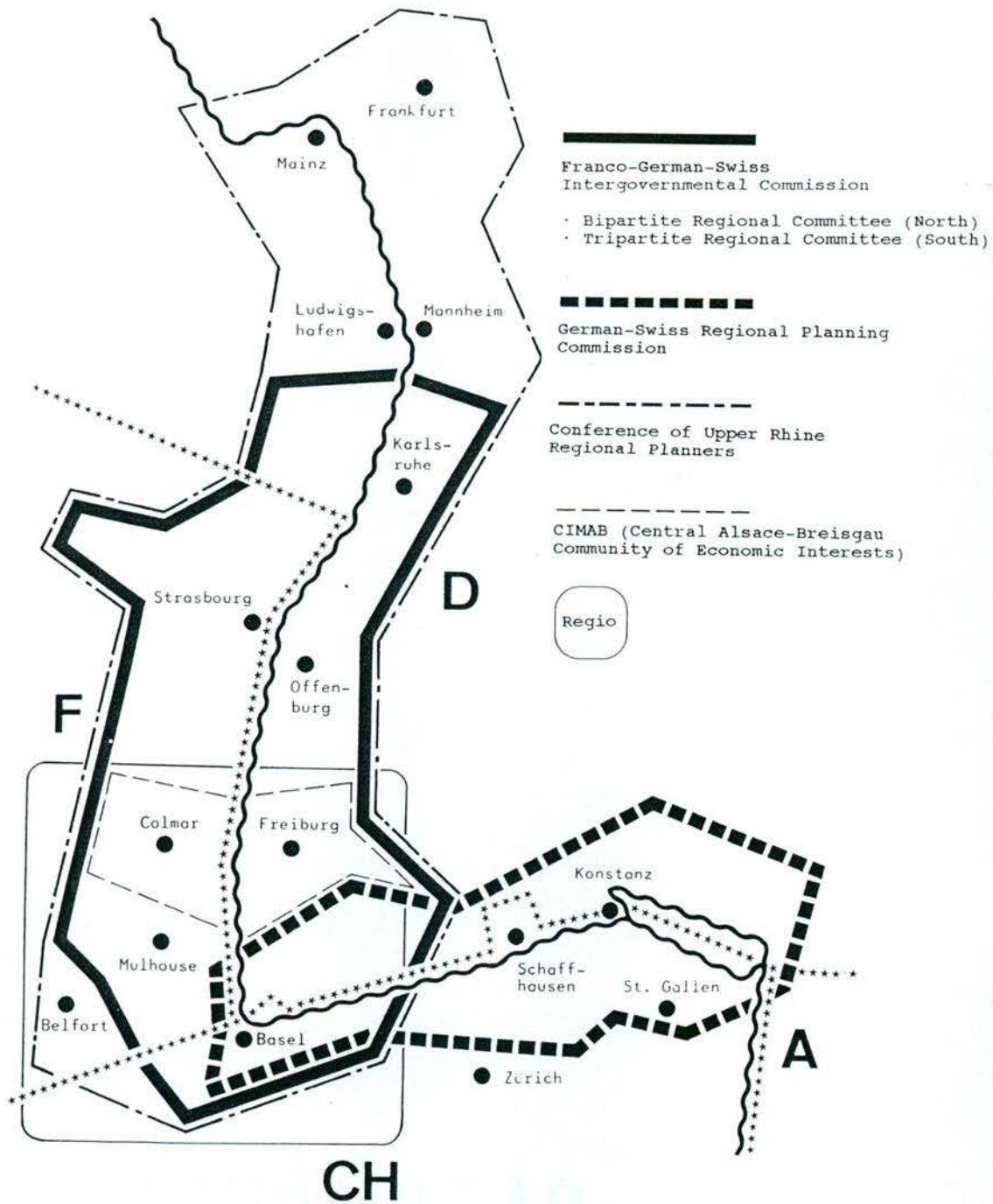
In 1969 the Regio Basiliensis became the official common planning organization of the Basle-Town and Basle-Country cantons. It immediately proposed the creation of an official tripartite commission involving regional representatives from the Basle, Alsatian, and Baden regions, thereby triggering the official beginning of intergovernmental cooperation in the Upper Rhine. Figure 4 presents the current arrangement of transfrontier relations and illustrates the complexity of a network involving both private and public participants, as well as regional and State representatives operating in either informal, mixed, or official cooperation structures. The various planning commissions have overlapping territorial competencies (figure 5), and each has a unique composition and function (table 3).<sup>2</sup>

The Regio Basiliensis remains the most active of the transfrontier cooperation pioneers. Its semi-public status as an international bureau for the Northwestern Swiss cantons, as well as the economic dominance of the Basler agglomeration and the untiring efforts of the Regio's long-time administrator, Hans Briner, explains the Regio Basiliensis' visibility and achievements. By contrast, the Alsatian and Freiburger Regios are entirely private organizations and, although they maintain close contacts with their respective regional governments, they are not endowed with official representation powers.

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<sup>2</sup> For more detailed information on the historical evolution and organizational features of transfrontier cooperation in the Upper Rhine, see Koch 1974; Briner 1986 and 1989; Regio-Report 1988; Jenny 1989; and Scott 1989.

FIGURE 5. Areas of Cooperation in the Upper Rhine



Source: Regio Basiliensis 1988, 14.

TABLE 3. Organs of Cooperation in the Upper Rhine

<b>Cooperation Instrument (Since)</b>	<b>Coop. Level</b>	<b>Composition and Function</b>
<b>German-Franco-Swiss Intergovernmental Committee (1976)</b>	National Institut.	Replaces the regional Tripartite Conference, which met between 1971 and 1975. Made up of three eight-member delegations, each lead by the Foreign Affairs Minister. Meets once a year. Oversees the Tripartite and Bipartite Committees.
<b>Tripartite Regional Committee (1976)</b>	Regional Institut.	Made up of three eight-member delegations led by the Freiburger "Regierungspräsident," the Alsace Prefect, and a member of the Basle-City government. Meets twice a year. Examines the issues presented by its working groups and makes recommendations to the Intergovernmental Committee.
<b>Bipartiti Regional Committee (1976)</b>	Regional Institut.	Made up of two twelve-member delegations from the German regions of North Baden and South Westphalia. Meets twice a year. Examines the issues presented by its working groups and makes recommendations to the Intergovernmental Committee.
<b>Assembly of Elected Officials</b>	Regional Mixed	Consultative organ affiliated with the Regional Bipartite Committee.
<b>Periodical International Coordination Meetings (1970)</b>	Regional Non-Institut.	Since 1976, prepares the meetings of the Tripartite Regional Committee.
<b>"Small Upper Rhine" (1976)</b>	Regional Non-Institut.	Prepares the meetings of the Regional Bipartite Committee.
<b>Conference of Upper Rhine Regional Planners (1972)</b>	Regional Non-Institut.	Attempts to coordinate regional planning and ensure harmonious development of the Upper Rhine.
<b>"Dreiländer" Conference (1988)</b>	Regional Mixed	Examines the results achieved by the various working groups and focusses each year on a different theme.

Source: Information derived from Regio Basiliensis 1988b, 11-12.

## Transfrontier Cooperation In The Pyrenees

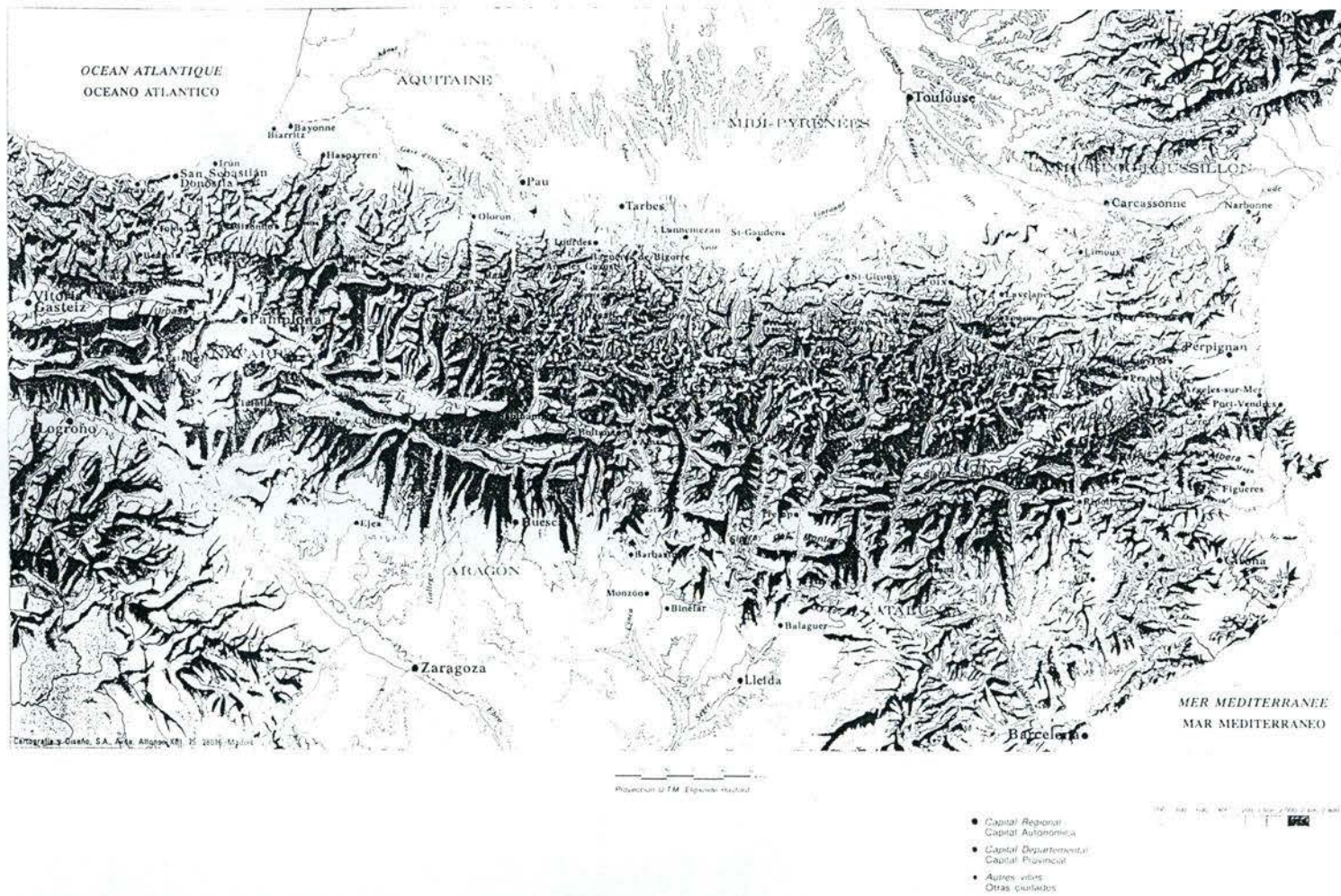
### Elements of Geography, History, and Economy

The Pyrenees are located on the Iberian isthmus and stretch over 435 km from the Mediterranean to the Atlantic sea at an average altitude of 5,900 feet (figure 6) . The mountain range offers strong dysimetries and contrasts: Two thirds lie south of the crest line, on the Spanish side of the border, whereas the average width does not exceed 18 to 25 miles in France; The Pyrenees drop abruptly into the Mediterranean at their eastern extremities, while the western side levels off much more gradually towards the Atlantic; finally, the aridity of the southern slopes contrasts with the heavy rains that come from the Atlantic and water the northern side. The Pyrenean ecosystem is one of the most diverse in Europe. It harbors close to 3,500 plants; 48 different mammals live in the National Parc of the Western Pyrenees alone; the massif has the highest percentage of endemic species in all of Europe; and, finally, it represents the last refuge for a number of endangered species, such as the Pyrenean brown bear and several birds of prey (Godard 1987, 36; DATAR/MOPU 1989, 54-57).

The border that now splits the Pyrenees between France and Spain was not officially defined until 1868, when the Spanish and French governments placed boundary stones along an imaginary line to demarcate their national territories (Godard 1987, 45). With a few exceptions, most notably the enclaves of Llívia and Andorra, the present boundary roughly follows the crest line and watershed divide.

Despite the modern perception of the Pyrénées as a “natural border,” the mountain range retained a frontier character for several centuries. Indeed, multiple shifts in regional sovereignties resulted in the existence of states straddling the range, especially in the lower-lying areas of Guipuzcoa, Navarra, Cerdagne, Corbières, Roussillon, and Catalonia. After escaping Arab domination in the eighth century, Roussillon, to cite but one example, was

FIGURE 6. The Pyrenees



Source: DATAR/MOPU 1989, 25.

successively attached to the Earldom of Barcelona, the Kingdom of Aragon, and the Principality of Catalonia. It then passed into the hands of Lewis XI and Charles VIII of France, was later returned to the Catholic Kings, Ferdinand and Isabella, and, finally, reunited with France at the Treaty of the Pyrenees in 1659 (Godard 1987, 46; Council of Europe 1980, 2,4).

In addition to these shifts in sovereignty across the range, the Pyrenees have a long history of local cooperation that resulted from the need to share natural resources. i.e., rangelands in the western and central parts, and irrigation water on the eastern side. The populations in the high valleys have long preserved a strong degree of autonomy, even from ruling lords. Transpyrenean solidarity was embodied in local customary agreements, which recognized to inhabitants of the northern and southern slopes the right to lead herds through their neighbors' valleys, even when their respective rulers were at war with each other. The 1659 Treaty of the Pyrenees, while setting the stage for the formal division of the massif, acknowledged the validity of such local agreements, a few of which are still regularly renewed today (Robert 1980, 4; Godard 1987, 48).<sup>3</sup>

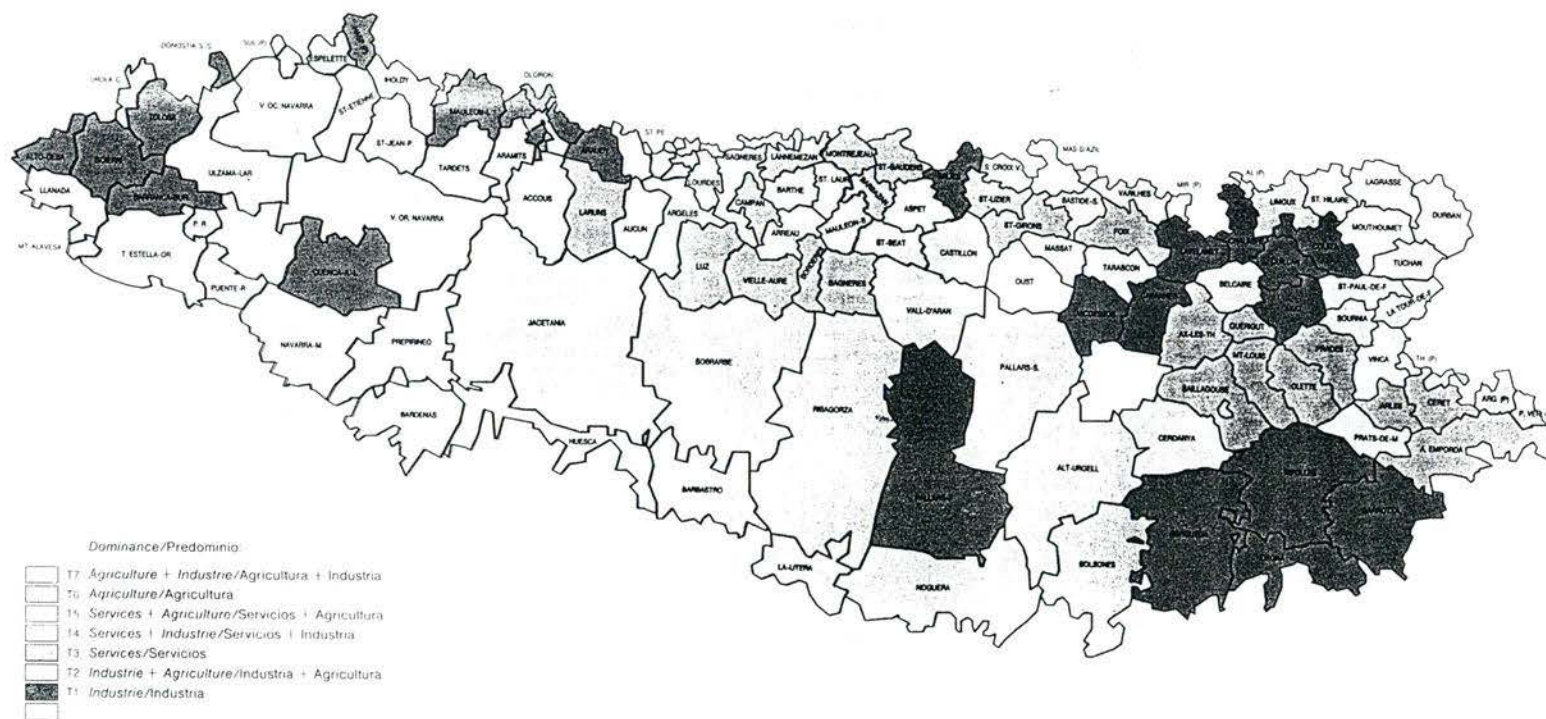
Pastoral activities, supplemented by intensive agriculture at both ends of the range, have long represented the backbone of the Pyrenean economy. The last decades, however, have seen a decline in traditional activities, which has encouraged outward migration. Figure 7 illustrates the current predominance of the industrial and service (essentially tourism) sectors on the northern side and at the extremities of the mountain range.<sup>4</sup>

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<sup>3</sup> For more information on local grazing agreements in the Pyrenees, see Godard 1987, 108-115.

<sup>4</sup> Details on the nature and repartition of economic activities can be obtained in Robert 1980, 6-15 and DATAR/MOPU 1989, 76-103. Information on population trends is mapped out in DATAR/MOPU 1989, 65-75.

FIGURE 7. Repartition of Economic Activities in the Pyrenees



Source: DATAR/MOPU 1989, 79.

### The Development of Transfrontier Cooperation in the Pyrenees

As noted earlier, local cooperation in the Pyrenees was very active for several centuries and the geography of valleys that lay perpendicular to the mountain's crest contributed to favoring north-south relations over a more difficult east-west cooperation. With the progressive delineation of a physical border in the 19th century, however, local contacts diminished in intensity. In their wake, the Spanish and French states initiated intergovernmental cooperation efforts to palliate the "barrier" effect of a border they had helped to reinforce in the first place. The International Commission of the Pyrenees, created twenty years ago, deals with issues relevant to regional planning, economic development, and environmental protection. Judging governmental actions still insufficient<sup>5</sup> and feeling that existing cooperation at the local level was too informal to allow medium to long-range planning, a number of elected officials on both sides of the border joined together to launch a new organization (Godard 1987, 431). They were greatly helped in their endeavor by the work of the Council of Europe.<sup>6</sup> As early as 1978 the CLRAE had organized a Conference of Alpine regions in Lugano, which resulted in the creation of the transfrontier organization known as ARGE-ALP.<sup>7</sup> Four years later, the CLRAE and the Parliamentary Assembly organized a Conference of Pyrenean regions in Jaca (Aragon). Bernad notes that

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<sup>5</sup> Godard offers an analysis of the deficiencies of intergovernmental cooperation in matters of environmental protection (1987, 286-293).

<sup>6</sup> The Council of Europe's involvement in transfrontier cooperation issues was detailed in Chapter II *supra*.

<sup>7</sup> Arge-Alp comprises the German land of Bavaria, the Austrian provinces of Bozen-South Tirol, Trient, Vorarlberg, and Salzburg, the Swiss canton of Graubunden, and the Italian regions of Lombardy and Trentino (Partl 1984, 89-90).

this was the first time in history that representatives of Aquitaine, Midi-Pyrénées, Languedoc-Roussillon, Catalonia, Aragon, Navarre, the Basque country and Andorra had met to discuss joint problems and “neighbourly relations” in the Pyrenees, and the feasibility and desirability of setting up an organisation to encourage transfrontier co-operation along the entire Pyrenean chain (Bernad 1986, 101).

The Jaca Declaration, signed in November 1983, sealed the creation of the Working Community of the Pyrenees. Written in six Pyrenean languages, the new organization’s statutes established the administrative region as the basic, but not exclusive, cooperation unit (Bernad 1986, 101-102).<sup>8</sup> The presidency of the Community rotates every two years. The Council, made up of seven delegates per member region, oversees the work of the Secretariat and examines the issues brought to its attention by the working groups (Bernad 1986, 104). An important characteristic of the Community is its informal nature. The organization has no legal existence and is not officially recognized by either Paris or Madrid. The decisions of the Council are taken by consensus and transmitted to local and regional authorities in the form of recommendations (Bernad 1986, 105).

Since the creation of the Working Community of the Pyrenees, other instances of substate cooperation have emerged, most often in the form of bilateral agreements. Thus, the French region of Midi-Pyrenees has established special contacts with the Spanish regions of Aragon and Catalonia (Santier 1987); Aquitaine and Euskadi have done the same (Etcheverry 1991); and the *departement* of Haute-Garonne has signed an agreement with the city of Barcelona (Lambrechts 1990). Finally, the regions of Catalonia, Midi-Pyrenees and Languedoc-Roussillon have decided to “lay the foundations of a Euro-Region and to study the setting up of joint projects” in 1989 (Regions of Europe 1991, 226).

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<sup>8</sup> Article 5 allows representatives of sub-regional authorities to participate in the meetings of the Council of the Community.

To conclude this rapid presentation of transfrontier cooperation in the Pyrenees, it is interesting to note that, contrary to the Upper Rhine, the creation of permanent structures is hardly a manifestation of spontaneous action by local private groups, but rather a move directly orchestrated by elected officials (see Godard 1987, 431).

### Interregional Cooperation: The "Four Motors"

#### Presentation of the Four Partner Regions

In the case of interregional cooperation, the notion of geographical proximity does not play nearly as important a role as in transfrontier relations. Nor does a common political history.<sup>9</sup> What seems to matter instead are the location of a region within a given economic market and a region's economic complementarity with its interregional partners. The association commonly known as the "Four Motors of Europe" is a case in point.

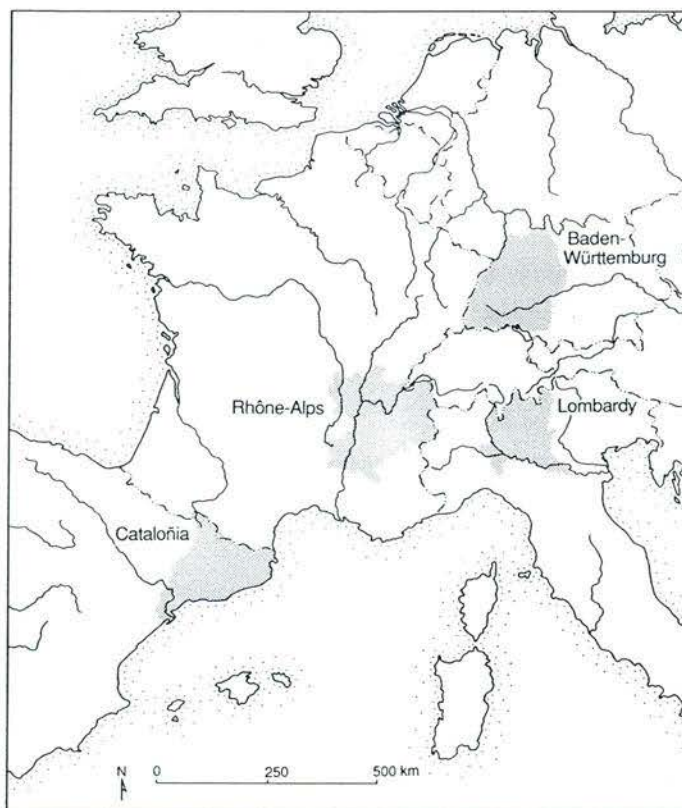
The four "founding" members are the regions of Baden-Württemberg in Germany, Rhône-Alpes in France, Lombardy in Italy, and Catalonia in Spain (figure 8). They share an economic dynamism that places them in the lead nationally and guarantees them a choice position within the European market. The four regions are endowed with some of the highest concentrations of population, commercial activities, services and infrastructures in the EC. At the end of the 1980s, Lombardy represented 15,5% of the Italian population, while producing over 20% of the GNP. Its average earnings per capita were 22% higher than the country as a whole and 16% higher than Northern Italy alone (An Age-Old history

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<sup>9</sup> This does not mean that past historical links are always absent, of course. The French region Nord-Pas-de-Calais, for example, has established relations with a Polish region that was the birth place of many coal miners who later emigrated to the mines of Northern France. However, it is fair to say that interregional linkages do not rely as heavily on the existence of a common cultural heritage, as many transfrontier associations do.

of Trading 1991, 244; A Lombard Recipe 1991, 263). At the same period, Baden-Württemberg accounted for 15,3% of the total population of the Federal Republic of

FIGURE 8. The “Four Motors” Member Regions



Source: Murphy 1993, 112.

Germany and produced 17% of the German exports (Saux 1987). Catalonia covers 6,3% of the Spanish territory, but harbors 15,9% of the total population. It attracts more foreign investments than any other *autonomías* (Trente-cinq millions 1990). Finally, Rhône-Alpes is the largest French region and only trails Ile-de-France (with the Paris agglomeration) in economic prosperity. All four regions experience lower than national average unemployment rates and higher than EC average GNP. They also present a comparable economic structure with a strong service (especially tourism) sector and an industrial sector more and more oriented toward high technologies (Table 4).

TABLE 4. The Four Motors: Statistical Data

Regions	Population		Economic Indicators				
	In % of EC (1990)	Density Inhab./ km <sup>2</sup> (1990)	% of un-employed (1992)	% of employed in agriculture (1989)	% of employed in industry (1989)	% of employed in services (1989)	Medium GIP 1986/88 (EC=100)
Baden-Württemberg	2.8	272.1	2.9	3.3	44.9	51.8	102.7
Catalonia	1.7	188.1	13	4.2	41.7	54.1	105
Rhone-Alpes	1.5	122.8	9.3	4	34.6	61.4	108.2
Lombardy	2.6	374.1	4.2	3.5	40.1	56.4	121.9

Source: Eurostat, 1989.

#### The Development of Interregional Cooperation Between the "Four Motors"

Aware of their privileged economic situation, the four regions first engaged in a series of bilateral cooperation agreements, starting with Baden-Württemberg and Rhône-Alpes in June 1986. The domains of cooperation included research, technology transfer, economic cooperation, apprenticeships and continued education, and youth and cultural exchanges (Dauerhaftes Band der Freundschaft 1987, in Appendix A; Auf dem Weg zum Europa der Regionen 1987). This agreement was followed by others between Baden-Württemberg and Catalonia (Fall 1987); Rhône-Alpes and Catalonia (March 1988); Baden-Württemberg and Lombardy (May 1988); and Rhône-Alpes and Lombardy (September 1988).<sup>10</sup>

<sup>10</sup> See Schaufler 1991; for details about the bilateral cooperation efforts of Baden-Württemberg, see Grenüberschreitende Aktivitäten entwickeln sich positiv 1988.

With a view to promoting further cooperation, the four European regions decided to sign a memorandum that signaled the creation of an informal, non-institutional concertation group. The September 1988 memorandum (French text included in Appendix B) outlined the following goals: Improvement of infrastructures (telecommunications and transport); enhancement of cooperation in research and new technologies; creation of a common itinerant exhibit presenting the "Four motors of Europe;" joint presence at economic and scientific forums outside of Europe; development aid; and better cooperation in the artistic and cultural domains. The regional leaders agreed to meet at least once a year.

In the months preceding the memorandum, however, Baden-Württemberg had already started to establish special relations with the Canadian province of Ontario. A bilateral cooperation agreement had been signed in May 1988 and another one between Rhône-Alpes and Ontario was signed in March 1990. In June 1990, Ontario was included in a "Declaration of Partnership and Memorandum of Understanding on Cooperation," which aimed at advancing cooperation in the following areas: Technology transfer and industrial cooperation; environmental cooperation; cooperation in advanced education and training; cultural cooperation; and cooperation in communication (see the English text of the Memorandum in Appendix C). The five partner regions again opted for an informal and flexible working structure: a yearly meeting of the five regional leaders to define objectives and the constitution of five working groups comprised of regional officials and outside experts in the domains of "communications," "telecommunications," "economy," "culture," and "environment."

The *de facto* interregional association has since engaged in a number of collaborative actions with other regions, most notably Wales in Europe and Quebec in Canada. Despite such a broadening in geographical scope, the four initial partners still remain the most influential ones within the interregional association.

### Political Motivations

Demands for increased political autonomy and rejection of a weighty central rule by local and regional authorities offer one explanation for the multiplication of transfrontier and, more recently, interregional cooperation agreements across Europe. As Duchacek notes, such forays are facilitated by the extension of the field of foreign policy from defense issues to other areas, sometimes called "low politics," which are more suited to subnational interventions (Duchacek 1988, 6-7). By seeking direct relations with foreign counterparts, local and regional authorities have found a way not only to evade some of the limitations imposed by their state governments, but also to strengthen their position vis-a-vis an increasingly powerful and centralizing European bureaucracy.

A closer look at the French situation provides insight into the reaction of central governments to such international forays by local and regional authorities.

#### Reaction To State Centralism:

##### The Case of France

Increased foreign relations activity by local and regional entities sometimes mirrors increased center-to-center government interactions, what Duchacek calls "emulative me-tooism" (1988, 6-7). However, I would argue that, more often than not, sub-state authorities have in fact reacted to a lack of guidance from their central government (Duchacek 1986, 24-5). In the case of border regions, their peripheral location and physical distance from many national capitals have probably reinforced their feeling that bureaucrats in the capital are "out of touch, not interested or not understanding of border matters" (Herzog, 1986, 33, 109). In addition, Kristof's characterization of the frontier as outward oriented explains why border areas have not always looked back to the hinterland for the organization of their daily lives (Kristof 1959, 271). There has developed what

Lattimore terms the “phenomenon of the border society,” with the expression of border interests quite different from those of the central State (Lattimore 1940, cited in Kristof 1959, 271).

This emancipation of substate authorities has also been felt in federalist states, but it has recently made the clearest gains in countries with strong centralist traditions that have embarked on courses of political and administrative reform. Such is the case in Spain and France, where local politicians have rapidly taken advantage of the new opportunities created by the moves towards decentralization. I chose to focus attention on the French process, for its advances and limitations greatly influence the effectiveness of the three transfrontier and interregional organizations examined as case studies in this paper.

#### French Centralist Tradition

Historically, France has played a major role in shaping modern European states. The strong regional entities that existed in Europe during the Middle Ages were first subjected to partial regroupings by the powerful monarchies of the 16th and 17th centuries, but it was only after the French Revolution and under Napoleonic rule that the “nation-state” model that was to be generalized to all of Europe fully emerged<sup>11</sup> (Drevet, 1991, 53-4).

In the process of nation-state building, French leaders have shown great determination in eliminating the local and regional divisions inherited from their medieval predecessors. Taylor notes that, in 1789, the Abbé Sieyès carved up a new spatial structure that consciously ignored the old local and regional patterns of life:

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<sup>11</sup> It is also at that time that the concept of the border as a rigid divisive and defensive line completely replaced the last occurrences of frontiers in the delimitation of state sovereignty.

The delineation of these départements was an exercise in spatial-social engineering to break loyalties to the old provinces. To reduce local identification further, the names of the departments avoided any reference to historical, social or economic patterns of life. Instead the departments were named after "neutral" physical features such as rivers and mountains (Taylor, 1987, 149).

### Decentralization Reform

After 1791, the territorial composition of France remained very stable. The only major innovation was the creation of administrative *régions* in various stages between 1955 and 1982 (Drevet 1991, 129). Whereas in other countries the force behind regionalization efforts came from the necessity to find an antidote to dictatorial regimes, alleviate linguistic antagonisms, or settle ethnic claims; in France the need to promote regional economic development was the main reason for developing a new administrative framework (Meny 1989, 17; Conseil Economique et Social 1991, 39-41; Kolinsky 1984, 172). It became increasingly evident that the carving up of the territory into more than 36,000 *communes*,<sup>12</sup> combined into about 3,714 *cantons* within 96 *départements* under total control from the Parisian administration might prove too cumbersome to easily adapt the country to the new realities of a rapidly evolving Europe.<sup>13</sup>

Despite the relative artificiality of the *département*, its administrative longevity ensured its status as a privileged territorial structure (d'Arcy and Baena 1986, 13). As a

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<sup>12</sup> French *communes* vary in size from 8 ha to over 37,000 ha. Pinchemel, and others, have underlined the archaic nature of the territorial divisions in a country more sparsely populated than its neighbors and where urbanization and rural exodus have profoundly modified population distribution patterns. Already in 1975, over 45 percent of the metropolitan *communes* had fewer than 300 inhabitants (Pinchemel 1987, 195; Grémion 1992, 56)

<sup>13</sup> For an excellent discussion of the new needs and factors leading to the French decentralization reform, see d'Arcy and Baena 1986, 108-114. The reader interested in the historical aspects of the reform may consult Conseil Economique et Social 1991, 33-48.

result, the first steps towards decentralization remained but timid initiatives until the early 1970s. Instead of conferring new powers on the local authorities, the main efforts were actually geared toward *déconcentration*, that is the delegation of central administrative representatives to the provincial districts to supervise the implementation of the State's policies (CES 1991, 41).

The original purpose for creating a new administrative level in the form of 20 *régions*<sup>14</sup> was simply to facilitate public investment planning. No political debate recognized the delimitation of the territorial units, which, in many cases, did not foster feelings of regional identification in the population (d'Arcy and Baena 1986, 112). Some of the names (Rhône-Alpes, Provence-Alpes-Côte d'Azur, Midi-Pyrénées, etc.) are very revealing of the piecing together of several cultural and physical entities. The high-level public officials in charge of the reform satisfied themselves with a mere regrouping of *départements*, and one might even suspect in that decision a deliberate attempt to limit the future influence of the new administrative units. The law of 5 July 1972 gave the *regions* a legal status and granted them a special source of income, the product of various taxes. Yet it still failed to advance them to the level of true substate governments: Under the executive of the regional Prefect, appointed in Paris, the deliberative and consultative councils (*Conseil régional* and *Comité économique et social*) enjoyed very limited powers (Pinchemel 1987, 201).

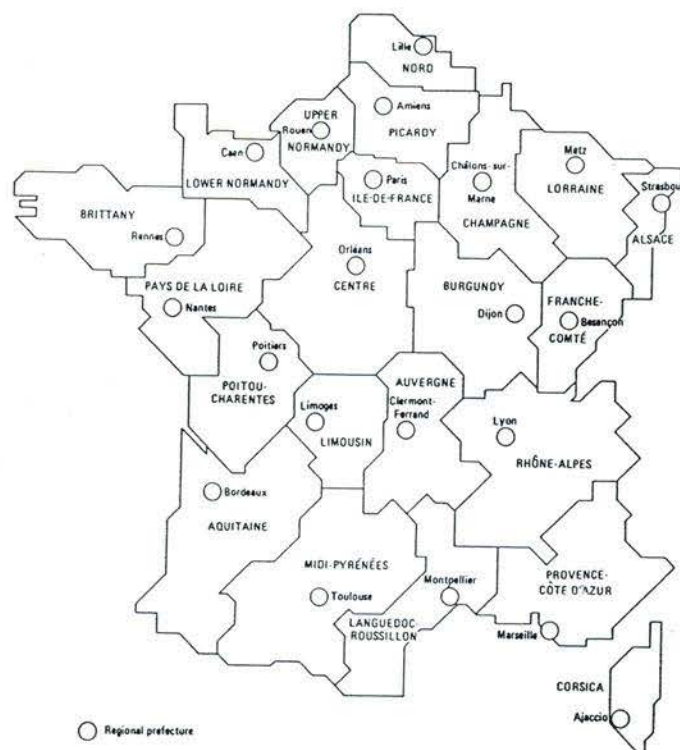
For the twenty-two regions (Corsica and Ile-de-France were added in 1976, figure 8), political emancipation came with the decentralization law of 1982, also called the *loi Defferre*, after the then Secretary of the Interior in the recently elected socialist government.

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<sup>14</sup> Twenty *régions* were first delimited in 1955 as programming units (*régions-programmes*). However, they did not officially enter the administrative structure of France until 1964 with the signature of an executive order (d'Arcy and Baena 1986, 112).

The main innovation consisted in depriving the Prefects of their executive function to the benefit of Regional Councils elected directly by the population<sup>15</sup> (Perrin 1991, 41-44).

FIGURE 9. France's Administrative Regions



Source: Pinchemel 1987, 200.

Since 1982 over twenty laws relating to various aspects of the decentralization reform have remodeled the French administrative system (Conseil Economique et Social 1991, 48). All three levels of government have seen some of their older powers reinforced, but new mandates have come into being also. Characteristic of France's reform

<sup>15</sup> The first direct regional elections were held in 1986.

is the fact that, contrary to other European countries, it did not single out one administrative level as the uncontested beneficiary of transferred competencies. Although one of the most spectacular measures of the reform is the elevation of *régions* to the status of full-fledged authorities, this did not result in a weakening of the departmental level, which also received new and fairly extensive executive powers (d'Arcy and Baena 1986, 121, 128-131). Many political observers and players have judged the absence of a strong regional level detrimental to France's position on the European exchequer, and regional councils have used the new legitimacy conferred upon them by direct elections to go beyond a narrow definition of their task.<sup>16</sup> Without doubt, their forays into transfrontier and interregional cooperation can at least partly be ascribed to a search for increased recognition at the national level.

Financing for decentralized governments comes essentially from three sources: 1) local taxes, consisting of the dwelling occupancy tax, the built land property tax, the unbuilt land property tax, and the commercial and industrial activities tax ; 2) tax transfers from the central administration for the implementation of the newly allocated tasks;<sup>17</sup> and 3) loans. Figure 10 summarizes the evolution of local and regional government expenditures between 1981 and 1987. It also helps put local and regional governments' relative financial weight into perspective and offers an explanation for the *régions'* propensity to enter into high profile activities such as external relations. With regional budgets rapidly

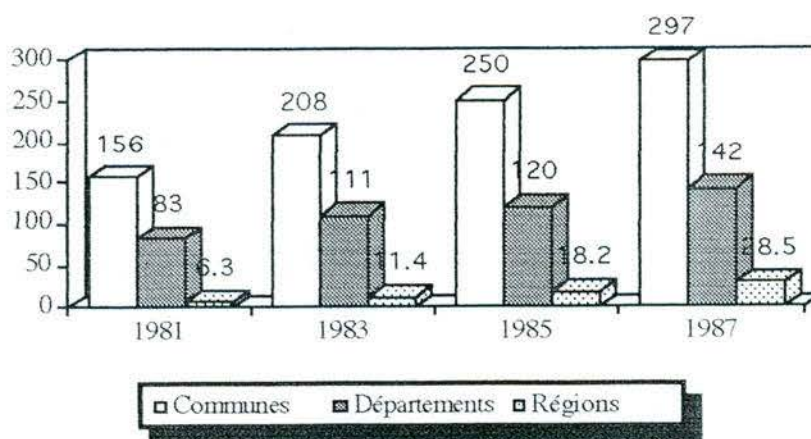
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<sup>16</sup> The *régions* have been delegated their most significant powers in the realms of economic planning, land-use planning, high-school and continuing education, housing, and transportation.

<sup>17</sup> Examples of tax transfers from the central government are the motor vehicle tax, whose revenues were reallocated to the *départements*, and the car registration tax allocated to the *régions* (CES 1991, 50).

increasing, but still far behind the sums allocated to local authorities, regional leaders hope that recognition abroad will also lead to financial recognition at home.

FIGURE 10. Government Expenditures of Local and Regional Authorities (in Billions of Francs)



Source: Conseil Economique et Social 1991, 112.

#### External Relations of Substate Authorities

For the first time in French legislative history, the 1982 decentralization reform also addressed the role of substate authorities in the field of foreign relations. Article 65 of the March 2 law directly concerns the prerogatives of the *régions* in matters of transfrontier cooperation:

The regional council can, with central government authorization, decide to organize--for consultation purposes and in the framework of transfrontier cooperation--regular contacts with decentralized foreign organisms having a common border with the region (quoted in Dolez 1992, 39, in translation).

The wording implies a number of restrictions. The law only concerns regional authorities, although many lower level governments were already quite active at the time, especially in transfrontier relations. In addition, Article 65 limits contacts to transfrontier cooperation

and to simple consultation measures without binding effect. Finally, it requires the authorization of the State prior to the conclusion of any agreement.

As occurrences of interlocal and interregional contacts increased rapidly over the years, the law's shortcomings became rapidly evident. Yet legislators waited until February 1992 to draft a new article on "decentralized cooperation" that remedied some of these flaws. The new dispositions have the advantage of explicitly recognizing the legality of external relations, whether contiguous or not, by all substate governments:

Individual territorial communities or regroupings thereof are entitled to conclude conventions with foreign organisms or regroupings thereof, within the limits of their competencies and in the respect of France's international commitments (Quoted in Dolez 1992, 40, in translation).

However, the law also incorporates control mechanisms, which betray the central authorities' concern over a proliferation of initiatives about which they are not always officially informed and which might create potential conflicts of interest (Raux 1990, 342-3). Article 131-I stipulates that an agreement will only have legal effects after it is transmitted to the central representative, the Prefect, who can ask an administrative court to verify the document's legality. It is nevertheless doubtful that this prerequisite will considerably change past practices by subnational governments, a number of which have chosen to conclude "gentlemen's agreements" without legally binding force, rather than deal with French government supervision. This attitude denotes a certain dose of political defiance aimed at pushing back the existing limitations to decentralized cooperation. It can also be ascribed to the lack of legal statutes that would be suitable to cooperation bodies issued from subnational crossborder contacts. This situation significantly limits the range of actions that can be taken by French local and regional authorities and will therefore be examined in more details in Chapter IV.

### Impact of Decentralization On Local And Regional Government

Despite the imperfections of a reform that many see as incomplete, the new administrative dynamic had some of the elected officials rushing through the half-open door. Realizing that the spirit, if not the letter, of the law gave them more leeway than previously expected, they took initiatives aimed at pressuring the central state into granting them even more responsibilities (Thoenig 1992, 7-9). The State's recent legislative efforts in matters of external relations have indeed come as an *a posteriori* ratification of a *de facto* situation, in an attempt to regain a certain degree of control over the activities of local and regional governments. The decentralization reform itself has brought about an evolution in the management style of elected officials. The past fifteen years have witnessed the apparition of a new breed of local politicians stemming from a middle-class, often professional background, who are progressively replacing the older local elite, the *notables* born of long-established, sometimes still powerful, families. In many cases, the somewhat placid handling of daily administrative tasks has given way to a much more aggressive management style. (Thoenig 1992, 7-8; Mabilieu 1992, 67-77). The new elite has often staffed the administrative services necessary to implement the recently transferred responsibilities with people of similar political persuasion and social origin (d'Arcy and Baena 1992, 116, 130). As their own administrative resources and technical expertise increased, the territorial communities have also become more demanding of State agencies responsible for giving them technical or other types of assistance (Thoenig 1992, 7-8).

Finally, twelve years of almost uninterrupted socialist central rule has certainly had something to do with the assertiveness with which many subnational authorities--especially *régions*--have enforced their new powers, sometimes even beyond the established legal limits. Many members of the French opposition parties, who are heading a vast majority of

the regional councils, have sought to regain at the local level the power they have lost nationally.

### Reaction to European Centralism

While in several European countries administrative reforms orchestrated over the past fifteen years have pointed in the direction of a significant power delegation from central to non-central governments, many local and regional authorities have started to worry about losing some of the prerogatives they have acquired at the national level to the increasingly powerful institutions of the European Communities.

In the aftermath of World War II it became clear in Western Europe that centralized nation-states were not capable on their own of avoiding the atrocities of widespread armed conflict or restoring economic prosperity to the devastated European territories. A number of international structures were consequently established to promote cooperation and policy coordination in strategic domains such as defense (North Atlantic Treaty Organization, NATO, created in 1949), energy production (European Coal and Steel Community in 1952; Euratom in 1958), and economic development (Organization for Economic Cooperation and Development in 1948; European Economic Community in 1958). Of these organizations, the European Communities have emerged as the sole proponents of a significant supranational integration.

By contributing to an erosion of state sovereignty "from above," the EC appear to advance the cause of local and regional entities, which themselves seek to erode central powers "from below" (Kolinsky 1984). Like other regional leaders, Lothar Späth of Baden-Württemberg saw in the reinforced powers of the EC the chance to build an alliance against the State. In his eyes the loss of national prerogatives had to result in a strengthening of the regions as they became a stronger source of identification for European citizens (Späth 1989b). In the case of France, it can be argued that the evolution of

European regional policy has indeed proven beneficial to substate authorities. Whereas for many years the French executive remained overtly hostile to EC intervention in regional planning issues, the reform of the ERDF, together with France's decentralization efforts have eased regional affairs out of the strict State- EC Commission bilateral framework (Drevet 1991, 72).

### Regions Versus European Communities' Institutions

It would be wrong, however, to believe that local and regional authorities see only an ally in the European Communities' institutions. As economic integration progresses, they have come to realize that the accompanying reinforcement of EC powers may represent more of a double-edged sword than previously anticipated.

Many local and regional officials have found it increasingly difficult to make sense and follow the evolution of the numerous directives and resolutions adopted by the Council of Ministers every year. They have often complained that keeping themselves informed of relevant legislation and finding their way through the meanders of European bureaucracy put too much strain on their limited resources and leave them totally dependent on their central governments for information. Such procedural complexity in regional policy matters is decried as yet another evidence of EC interventionist and technocratic tendencies (Sart 1990).

Such bureaucratization is the manifestation of an even greater evil, i.e., the overall centralizing effect of European integration. This trend towards centralization manifests itself in two ways. On the one hand the devolution of national powers to EC institutions displaces the decision-making centers to a level even further removed from smaller scale territorial communities. On the other hand, and rather ironically, the role of member states in the making and implementation of European legislation largely compensates for whatever loss of prerogatives they might have incurred individually. Kolinsky (1984, 168) notes

that the apparent surrender of powers to the EC has gone hand in hand with a “reassertion of the authority of the nation-states within the Community. The somewhat paradoxical consequence of “integration” in the EC is that national governments dominate the decision-making and policy-making processes.”

As a result, some observers have come to lament an actual loss of local and regional prerogatives to Brussels. This feeling is especially present in countries such as Germany with strong regional administrations. In 1991 the president of the Baden-Württemberg Senate remarked that “until then the European integration process had been mostly carried out at the expense of the legislative competencies of the *Länder*” (Staatsanzeiger 06/08/91).

All these concerns fuel the general apprehension of a democratic deficit at the European level. The leading role taken by the Commission in proposing legislation to the Council of Ministers has reinforced the role of the executive both at the supranational and national levels, leaving parliamentary assemblies without much say in European affairs.

The loss of capacity is not compensated by transfer of powers to the European Parliament or to regional assemblies. The emergent situation of new circuits of consultation and decision-making increases parliamentary weakness because power lost on the national level does not accrue elsewhere. It simply disappears, leaving central government with its bureaucracy freer of constraint (Kolinsky 1984, 180).

Antoine Waechter, the president of the Regional Policy Commission at the European Parliament and a member of the French Green Party, criticized what he saw as a distancing of citizens from the centers of decision and a structure of decision making that threatened regional specificities (Conférence des Régions 1991, 4).

### Regions As Building Blocks For An Integrated Europe

To fend off the perceived threats to their interests, subnational governments have been actively promoting the concept of a “Europe of the regions.” It is interesting to note that administrative *regions* are indeed spearheading the movement, and local authorities do

not always feel comfortable with the assertiveness of regional governments. They perceive the positioning of regions as choice interlocutors for European institutions as potentially detrimental to their own claims to representation. But if they object to the strategy followed by the regions, local authorities do agree with the overall thrust of the arguments presented by the regional entities.

Far from rejecting the idea of European integration, the regions emphasize their privileged role as its promoters and see one of their most effective tools in the building up of alliances with foreign regional bodies. Jordi Pujol, the president of the *Generalitat* of Catalonia, advocates a better balance of power between the States and the regions, which he considers the stepping stones of European construction (Pujol 1989). The bilateral declaration of Rhône-Alpes and Baden-Württemberg signed in October 1987 states that interregional cooperation should effectively complement cooperation efforts at the national level (Dauerhaftes Band der Freundschaft 1987) and leaders are quick to point to the greater vitality of regions, which they claim can respond more rapidly to new opportunities than cumbersome central bureaucracies.

Regional governments also like to underline their mission as protectors of European institutional democracy. Johannes Rau ascribes many virtues to regionalism, seen to him as the best answer to the disaggregating pulls of nationalism and separatism, and the constricting effects of rigid centralism. According to Rau, regions fill in a bridging function between the EC and European citizens ("Europa braucht Kraft der Regionen" 1991, 5). Bernini drives this home when he writes that

a pan-European construction without a valorization of [regional] autonomies would lack a democratic consensus and would not answer the real needs of the population. [Regionalism] is no longer a demand within the national States, it is a new dimension in the pan-European processes (Bernini 1991, 9).

### Strategy of Regions

As mentioned above, the building of regional alliances within, but more importantly, across national borders has become a favorite strategy of substate governments for protecting existing prerogatives and seeking more autonomy. Their brand of regionalism, however, does not by and large entail the support of independence movements and there is little questioning of national integrity. The focus is on the recognition and integration of regional differences. In such a unified, yet diverse, regionalist movement, it is hoped that the more autonomous members will fortify regionalism as a whole (Bernini 1991, 110). For French substate authorities, associating with strong foreign counterparts in Germany or Spain, for example, has brought welcomed access to more direct European channels, while keeping the pressure on the national government to proceed speedily with decentralization reforms.

Supporting organizations such as the Association of European Regions, the Association of European Border Regions, or the Council for Local and Regional Authorities in Europe, have actively represented the interests of their members to EC institutions, particularly by insisting on the inclusion of the regional (and local) levels in European policy decisions and demanding respect for the subsidiarity principle.<sup>18</sup> They have also pushed for permanent representation for local and regional governments within the European institutions. Despite the creation of a Consultative Council of Local and

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<sup>18</sup> In the terminology of the European Communities, the subsidiarity principle usually refers to the idea that the European institutions can only legislate when their actions prove more efficient than actions taken at the lower levels: thus, the competency of the member States remains priority while that of the EC is subsidiary to it (see Raux 1992, 33-36 for a concise expose of the principle's legal implications). Local and regional authorities would like to see the same principle applied for their own benefit, i.e., allow EC action only when it proves more efficient than action by subnational entities (see AER 1992a and 1992b).

Regional Authorities attached to the Commission in 1988, the actual influence of substate representatives on EC policies has remained quite limited (Reboud 1991, 167). This has led the AER and its member organizations to call for the constitution of a regional body endowed with independent powers. This "Senate of the Regions" would function next to the already existing European Parliament. Another proposal entails giving regions access to the European Court of Justice in cases of non-respect of the subsidiarity principle (Europa braucht Kraft der Regionen 1991, 5).

It is interesting to note that local and regional authorities have found strong allies among European parliamentarians. The December 1991 Conference of European Regions was organized in Strasbourg under the aegis of the European assembly and ended with the presentation of a common declaration to the Commission and the Council of Ministers. The document proclaimed the need to take the regions' recommendations into account in the future Treaty on European Union that was to be signed two months later in Maastricht (Netherlands). The alliance of European and regional parliamentarians should not come as a surprise, since it is at their respective levels that the "democratic deficit" in the European decision-making process is most acutely felt. In both cases the text of the Maastricht Treaty--which recently survived a difficult ratification process--still fails to address some major concerns. Despite a reinforcement of the so-called cooperation procedure introduced by the 1987 Single European Act and the introduction of a new "co-decision procedure",<sup>19</sup> the European Parliament did not receive the right to initiate legislation. Similarly, the regions have expressed their dissatisfaction with the "Committee of Regions", which

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<sup>19</sup> A description of the complex "cooperation procedure" included in the Single European Act and of proposals for reforming the relations between the European Parliament, the Commission and the Council of Ministers can be found in Commission 1987a. The changes to that procedure, as well as the new "co-decision procedure" introduced in the 1992 Maastricht Treaty are very clearly set forth in Raux 1992, 39-45.

replaces the current "Consultative Council of Local and Regional Authorities" and the Treaty. The new body does not depart from the previous one on the three most significant issues to the regional governments: It still only enjoys consultative powers, its members are nominated by the member states' central administrations and, despite its name, it represents both regional and local levels.

The last point deserves an explanation, since it reveals the antagonism existing between local and regional authorities over their role within European institutions. The 1992 Mannheim Declaration adopted at the 4th Annual Conference of European Regions--organized by the Assembly of European Regions--demands that the future Committee of the Regions be exclusively made up of elected regional representatives and that local officials only be allowed to participate if a member country lacks a regional level (AER 1992a, 42). Similar concerns had already been voiced in 1990 about the Consultative Council attached to the Commission. Jacques Blanc, then President of the Council's Regional Section, expressed the need to "clearly define the responsibilities of each Section with regard to the dossiers submitted to them by the European Commission:"

Part of the difficulties facing us results from the concept itself of the Council in which regions are expected to be on a par with local authorities, townships and departments or their equivalent.

In the long term, it will not be possible, either in Brussels or in Paris, not to recognize the privileged role of partners of the regions and their indisputable vocation of land managers.

(...) Therefore, I believe that the main challenge for the years to come is to mark the specificities of the regions within the Consultative Council so as to make sure that we are better heard. (Assembly of European Regions 1990, 21)

Of course, the claims of the Assembly of European Regions and its member organizations do not sit well with organizations such as the Council of Local and Regional

Authorities in Europe or the International Union of Cities and Local Authorities.<sup>20</sup> As noted earlier, they are wary of the leadership role taken by the regions and intend to make themselves directly heard by the European institutions. That this conflict of interest almost certainly has a bearing on the proliferation of uncoordinated external relation initiatives at the regional and local levels. It also influences the overall effectiveness of cooperation agreements.<sup>21</sup>

### Cultural Motivations

There are two main motivations for pursuing cultural interactions at the substate level. The first one is to evoke long-held traditions of cooperation and exchange and a common cultural heritage. The second one is to use cultural relations to cultivate a sense of identity that will help ascertain or reinforce a given region's position in the future, not only in the cultural realm, but in the economic and political realms as well. Of course, in most cases both motivations are closely intertwined.

### Cultural Cooperation As a Reflection of the Past

Both the Upper Rhine and the Pyrenees can claim a long history of communication and exchanges, and in some instances even a common political destiny (the kingdoms of Catalonia and Navarra used to straddle the present border until the 1659 Treaty of the Pyrenees). In the Upper Rhine, although the region itself was never entirely unified, strong intellectual currents have circulated along and fertilized both banks of the river, as

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<sup>20</sup> Both organizations are involved--together with the Assembly of European Regions--with the designation of the 42 members of the EC' Consultative Council (see chapter II, supra).

<sup>21</sup> The topic is treated in more detail in chapter IV, infra.

the architecture of the cathedrals and the works of Renaissance painters testify. From these common roots a cultural heritage has developed that needs to be preserved for future generations. Such a heritage is not limited to past artistic production or the built environment. Many inhabitants feel very strongly about promoting their regional language and protecting the natural landscape.

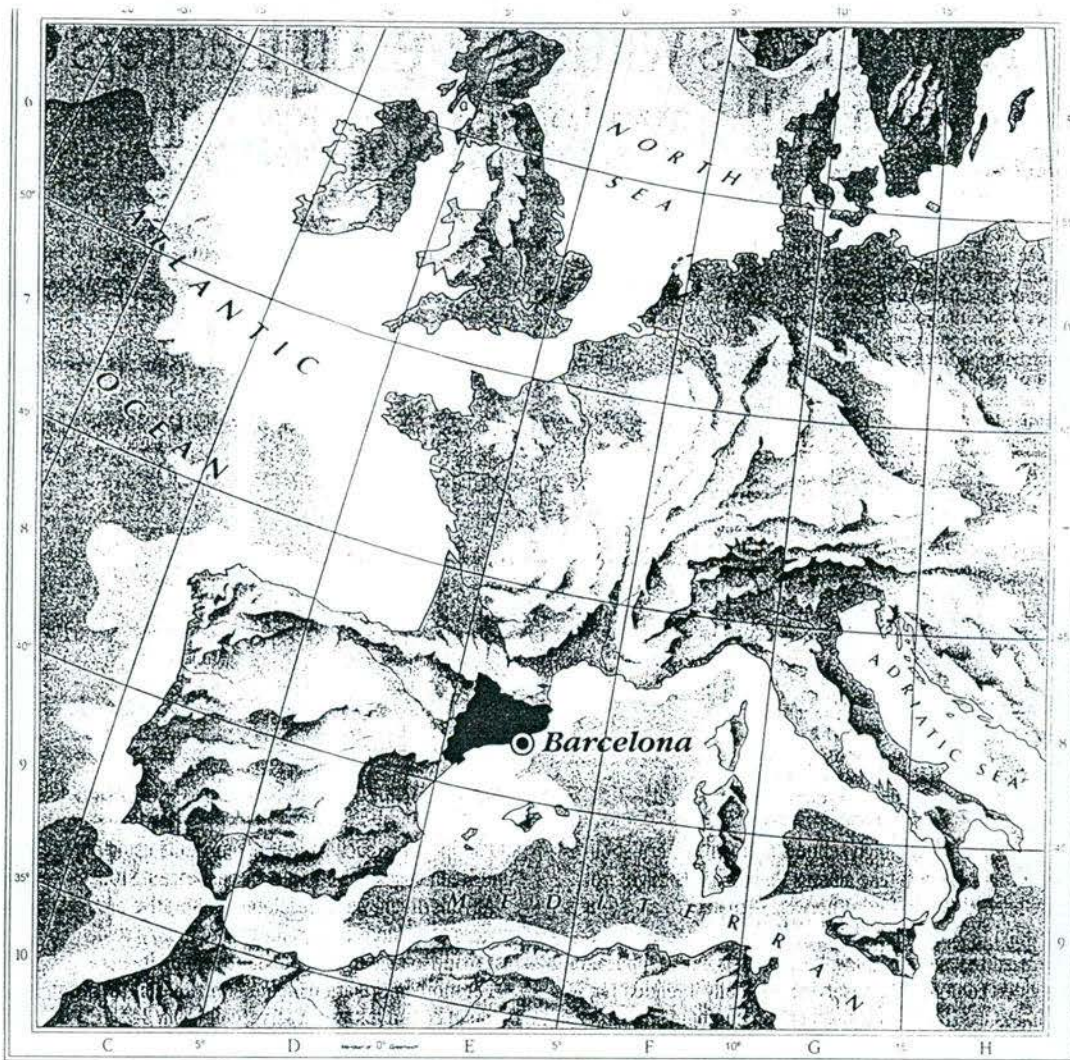
Among the actors involved in the three case studies, the *Generalitat de Catalunya* and *Euskadi* (the Basque Autonomous Community) are arguably the most adamant in their promotion of cultural identity. Jordi Pujol proclaims that "like Lithuania or Slovenia, Catalonia is a nation: A nation relying on a language, a culture, a history, and a feeling of collective belonging" (quoted in Maliniak 1991, in translation). The decades of suppression of the Catalan culture under the authoritarian regime of General Franco--Jordi Pujol himself was imprisoned for several years--also explain the virulence of Catalan leaders in asking for recognition and political control.

Strong nationalist sentiments are largely absent in the Upper Rhine, but on the French side, Alsatians are quick to point out the distinctive character of their region, which by its geography alone is naturally predisposed to look towards the East. The region's tormented history also plays a significant role. The tug of war between France and Germany over possession of Alsace has left deep scars, which are all too easy for people born after the war to underestimate. The initiation of transfrontier cooperation after such a troubled history brings guarantees of a long-sought peace for many people. Even as recently as last year, 44 percent of Alsatians cited the consolidation of peace between France and Germany as one of the main reasons for voting yes in the September referendum on European Union (Caviglioni 1992). Transfrontier cooperation almost certainly carries the same hope.

### Cultural Cooperation As a Bridge to the Future

Central governments have often reacted with ambivalence to the multiplication of unsupervised contacts across borders. While publicly acknowledging the positive effects of cooperation, they have shown suspicion toward the establishment of intimate ties, for fear they could be used by local or regional leaders to contest the state's territorial sovereignty. While only very few entities actually have separatist agendas, emphasizing the specificities of a region remains an effective defense against the threat of cultural assimilation both at the European and state levels. In the first case, regionalists worry about the potential for cultural homogenization that could come in the wake of a unified European market. In the second case, strongly identified regions like Catalonia proudly trumpet their national identity in an effort to acquire more political and financial clout from their central governments. Cultural transfrontier and interregional cooperation then becomes an important strategy in the bargaining process. Catalonia's search for recognition and visibility on the international scene was perhaps best illustrated by the candidacy of Barcelona to host the 1992 Olympic Games and by the world-wide advertising campaign, which the *Generalitat* ran in the month preceding the event (Figure 11). Double page ads in newspapers and magazines such as Le Monde in France, Der Spiegel in Germany, or the New York Times in the United States pictured a color map of the European continent, with the outline of a Catalonia in red and the inscription: "Where is Barcelona? In Catalonia, of course.," followed by a short text promoting the economic, artistic, natural qualities, and amenities of the Catalan "country" The campaign stuck in Madrid's craw and the central government testily replied that it had financed over 50 percent of the Games' organizational costs (see Bole-Richard 1992).

FIGURE 11. Where is Catalonia?



c8

## IN CATALONIA, OF COURSE.

This is where Barcelona is, in Catalonia, a country in Spain with its own culture, language and identity.

A country with a population of only six million people, which has experienced a growth which has made it one of the motors of Europe.

A country in which many foreign enterprises - European, North American, Japanese - have invested and are still heavily investing.

A country which has understood and motivated the genius of Picasso, the force of Miró, the imagination of Dalí, the innovative approach of Tàpies, the art of Montserrat Caballé and Josep Carreras, the mastery of Pau Casals, the daring of Gaudí...

A country which is visited every year by 16 million people from all over the world for its climate and its unique tourist, sports and cultural facilities.

A country with the know-how to get the

Olympic Games for its capital, Barcelona.

Now you know where Barcelona is. In Catalonia, of course.



**GENERALITAT DE CATALUNYA**  
AUTONOMOUS GOVERNMENT  
OF CATALONIA

In weakly identified regional entities, developing visibility outside of administrative borders offers an opportunity to foster increased recognition within the population itself. Since regional leaders cannot rely on established nationalist sentiments, they attempt to infuse cultural life into what are often recently established territorial/administrative arrangements through advancement of the idea that a certain degree of regional identification will eventually strengthen their political and financial position, while enhancing economic competitiveness. The artificially constituted Rhône-Alpes region offers a good example of this strategy. Its current president, Charles Millon, has devoted much effort to lifting the regional institution from relative anonymity and giving concrete meaning to the neologism of "rhônalpin" (see Enjeu: L'image de Rhône-Alpes 1992).

Finally, seeking a better knowledge of a partner region's culture is increasingly becoming a tool of economic policy. This may be particularly true in the case of interregional cooperation, where the lack of physical proximity has not allowed the development of deep cultural links in the past. When industrialists or managers start promoting better cultural understanding, they rarely do it gratuitously. It is fair to assume that they intend to use their new knowledge to cultivate business relations and augment their sales figures. The Four Motors have decidedly walked this path; one of their very first common actions in 1989 was to organize an itinerant exhibit promoting the Four motors in each of the member regions. Charles Merieux, the CEO of the giant pharmaceutical group that bears his name and now a RPR representative to the French Parliament, has heartily embraced the cause of regional micro-diplomacy. His goal is to develop what he has coined a "culture de l'international", i.e., a culture that fosters a "questioning of our languages and compartments," for example through the organization of educational exchange programs (quoted in Saux 1992). In a world of global economic interdependence and an uncertain economic future, local and regional entities have learned to focus their limited financial resources on the kind of cultural exchanges that brings rewards in the international marketplace.

### Socio-Economic Motivations

#### Global and Regional Interdependence

The desire to improve the position of local or regional economies has made its way up the list of motivations for substate cooperation. In recent years economic considerations--in conjunction with political ones--have widely outpaced any other ones, be

they cultural, historical, or environmental. Leresche (1992, 134), writing about cooperation at the Franco-Swiss border, claims that transfrontier institutions were not born out of the willingness to cultivate good neighborly relations. He argues instead that their existence responds to a double constraint, i.e., reducing socio-economic imbalances and planning discrepancies, as well as the need to coordinate measures taken at different territorial levels.

Substate leaders' ventures into economic micro-diplomacy certainly do not translate into some sort of regional isolationism. They have become more aware of the "imperatives of contemporary global and regional interdependence" (Duchacek 1988, 6-7). They may also be reacting to a new economic centralism, i.e., an increase in the number of international negotiations, such as the GATT rounds, which remain one of the central governments' strongholds in foreign economic diplomacy (Kolinsky 1984, 175). As a result, they seek to gain better control of economic development matters at the substate level and hope to make their voices heard in national and even global policy making.

A look at the most often mentioned reasons for cooperation reveals a general concern for "avoiding unproductive international competition" and "costly duplication of investments" (Scott 1989, 150). As product development techniques become increasingly sophisticated and expensive, industrialists push to combine scientific resources and better crossborder interaction between the public sector (for example, universities) and private economic actors. The call for improved communication does not go unheard and many observers consider the creation of private/public networks one of the most useful tasks for substate cooperation organizations to perform (see for example Robert 1984, 116-118). Increasing information flow in general is the talk of the day: Researchers seek to create

“computer data highways,”<sup>22</sup> and organizations such as CEDRE (see chapter II, *supra*) are being created to facilitate technology transfers directly between regions.

Other motivations for regional contacts include the desire to diversify the economic base and to stabilize labor markets. Such concerns are particularly strong in the Upper Rhine, where both Basle and the region of Alsace seek to grow out of a monostructural industrial base characterized by chemical, pharmaceutical and extractive industries (Scott 1989, 150). The Regio, especially in the “Three Corners” area, also experiences one of the most intense flow of transfrontier workers in Europe. Meyer noted in 1990 that 25,000 Alsatian workers from the Haut-Rhin department and 29,000 from South Baden commuted daily into the Basle agglomeration, while only a thousand Basler migrated over the German border. About 2,000 Alsatians also worked in Baden. A more dynamic economy and better wages in Northwestern Switzerland account for the flow of labor to the Swiss city (Lebaube 1991). The daily migration contributes to a well-below national average rate of unemployment in the entire region, but it also creates a complex social and fiscal situation, as well as a dearth of qualified labor in certain areas, especially on the French side. Regional leaders thus feel increasingly compelled to address both regulatory and economic imbalance issues.<sup>23</sup> The geographical location of Basle, which is cut off from the rest to

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<sup>22</sup> For example, the Regio has decided to take part in an expensive innovation program dubbed “High Tech Center Upper Rhine,” which will allow enterprises and research facilities to gain direct access to the Super Cray II computer located in Stuttgart (Jaegerler 1992). In the same vein, Neal Ascherson (1992) reports that the Four Motors regions are already hooked up together by fiber optic cable.

<sup>23</sup> For general studies of transfrontier workers in Europe, see Ricq 1981 and 1983. Lebaube (1991) states that labor movements over the Pyrenees are negligible, except for a moderate flow between the two Basque regions to the West side of the range. Even in case of increased economic dynamism and improved infrastructure, the mountain might remain more substantial an obstacle than a river like the Rhine, especially during the winter months.

the Confederation by the Jura mountains to the South and deprived of a national "hinterland" to the North, ensures that, whether Switzerland eventually joins the EC or not, the economically powerful city will continue to look predominantly towards its foreign neighbors for commerce and for its labor needs.

### The Regions and European Integration

The mushrooming of new transfrontier associations, the newly found dynamism of older ones, and the apparition of the first interregional associations all coincide with the revival of the European integration process, which started in 1984 after the Commission of the E. C. published a White Paper on the Completion of the Integrated Market. While the political and legal action of the Council of Europe, as well as decentralization reforms in several countries, certainly increased the autonomy of local and regional authorities, it was the prospect of a much needed economic boost that provided most of the driving force behind the numerous ventures into substate cooperation.

Scott (1989, 139) states that border regions

"stand to be among the principal beneficiaries of [European integration]," as "greater inter-European cooperation may help to overcome the political and economic marginalization that has often been imposed on these regions by national boundaries."

The idea that border areas are inherently at an economic disadvantage because of the artificial distortion of the market place, the break up of commercial "hinterlands," and the higher investment cost related to the risk of political instability has been exposed as early as 1933 by Christaller and regularly addressed afterwards--for example by Lösch and Giersch in the 1940s or Gendarme and Boudeville in the 1970s (see Hansen 1977; Ratti 1991, 10). Increasingly, however, economists started to challenge the notion of inherently disadvantaged border regions to underline the catalytic potential of certain areas. Ratti

(1991, 12) cites the proximity effect,<sup>24</sup> the flexibility of the labor market, and the permeability of local societies as attractive characteristics for the localization of production activities. Like many economists, however, Ratti forgets to mention a sadly common practice, i.e., the discounting of environmental costs by disposing of airborne or waterborn waste in the neighboring country's environment. Ratti argues that economic integration and the advent of new technologies require the transition from development theories based on the idea of "border" to theories focused on the notion of "frontier" (Ratti 1991, 11, 23-25). The completion of the internal market might not be an economic panacea in every situation, but it is now generally agreed that the presence of a border is usually not the sole reason for a development "deficit." It becomes one when associated with other political or economic factors (Ratti 1991, 11).<sup>25</sup>

At any rate, the potential of European integration has not been lost on local and regional actors, who use any opportunity they can get to dispel the old image of peripherality and extol the economic virtues of their newly-found centrality. Countless advertisements in the press depict local or regional entities as being located "at the heart of Europe," or at the "door" to Southern or Northern European regions. In Northwestern Switzerland, cooperating with Alsace and Southern Baden reinforces Basle's position as a meeting point between the EC's and EFTA's economic territories (Briner 1989, 17-18; Wyss 1989, 32-34).

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<sup>24</sup> By that he means the presence of economic actors familiar with two or more political and institutional systems.

<sup>25</sup> Allinne's study of the Pyrenees (1991, 48) concurs with Ratti's analysis. He notes that the regional economic difficulties do not result from the destructuring effect of the border, but rather from the disparition of the plain-mountain economic complementarity and the emphasis on plain development alone on both sides of the mountain range.

In the case of the Four Motors agreement, economic motivations are arguably even more dominant than they are in the case of transfrontier relations, since other cooperation factors, such as immediate physical proximity or a common cultural heritage, are entirely or largely absent. Instead, partner regions base their cooperation on economic complementarities (Kukawka 1989). The desire to foster each other's dynamic development by common effort and exchange represents the most important link between the four entities. According to the ex-president of Baden-Württemberg, Lothar Späth, the similarity in economic situations, as well as common interests and European goals, allow the regional governments to obtain concrete results faster than at the national level. Concerned about creating the "best conditions for their own industry and commerce to face up the challenge of 1992," Späth criticized the industrial policy of the EC:

"All four have similar problems concerning Europe... They are all "high tech" regions in their own countries making particular efforts in the fields of innovation and research. All four of us have the feeling that sometimes Europe's administration thinks a little too much about yesterday's industries -about steel, coal and agriculture- and perhaps not enough about the future, about very modern jobs and about the cooperation between economy and science." (cited in Goerg 1989, 66)

Regarding their cooperation as a "model for Europe," the Four Motors refute the idea that their alliance might contribute to increased disparities between European regions. They declare themselves ready to help disadvantaged areas through technology transfers and selective cooperation agreements. Their main preoccupation, however, remains the advancement of their own economic priorities.

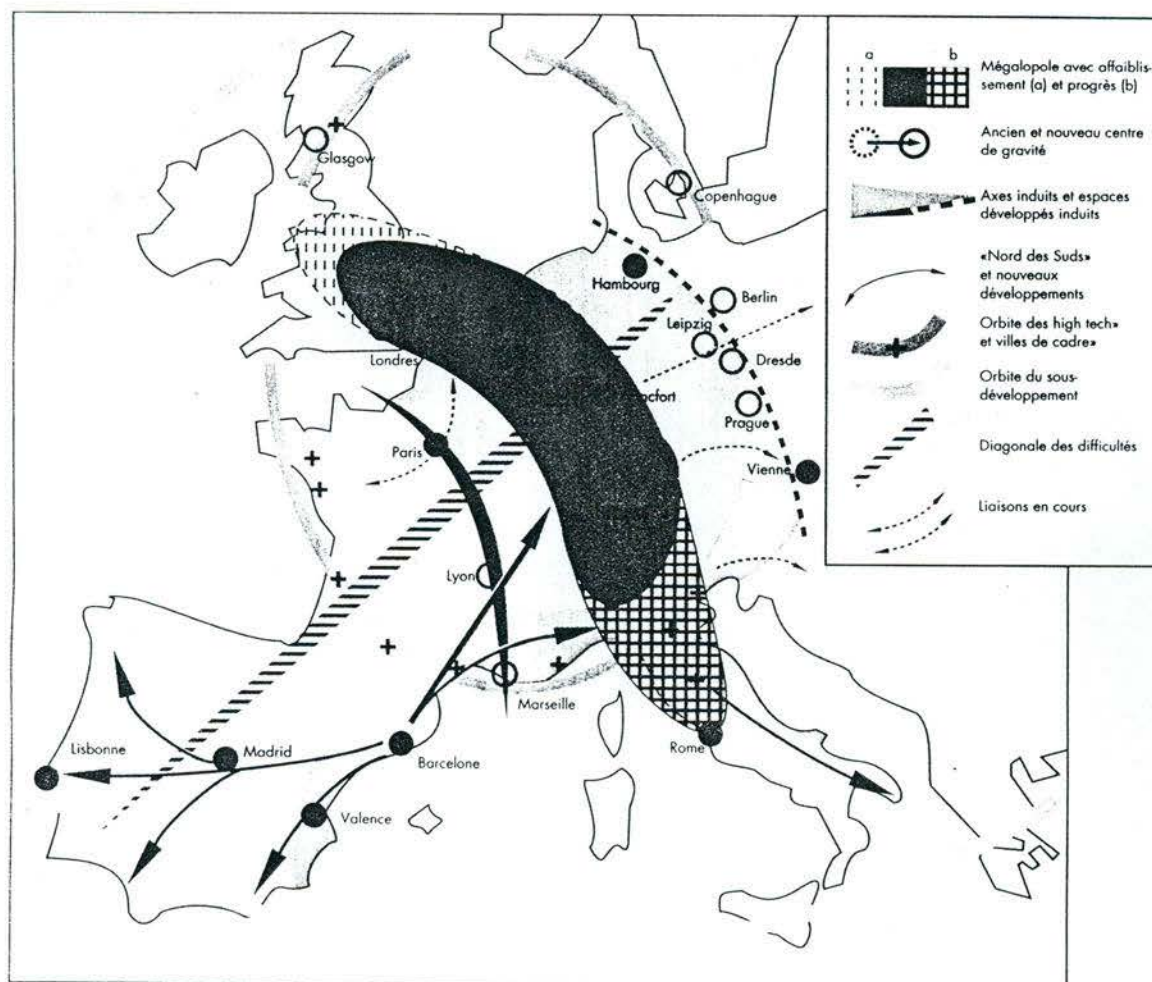
The desire to position regional economies advantageously on the European integration exchequer drives participants in transfrontier and interregional cooperation alike to put great emphasis on the development of adequate transportation infrastructures. From reading the European business pages one is left with the distinct impression that many governments' policies consist in applying the principle of "the more, the better." From bridges across the Rhine to tunnels under the Pyrenees, from high-speed train networks to

the development of interregional airports and construction of new motorways, battles rage over securing national and/or European Communities funding for infrastructure projects. This competition forms part of a wider territorial strategy that has regional planners and politicians frantically drawing lines, triangles or crescent shapes on their maps. The goal is to find the "driving" axis that will offer an alternative to the prosperous "European megalopolis," a large quarter circle reaching from London to Milan, through Brussels, Frankfurt and Munich (Figure 12). This type of strategic planning has been emulated at all subnational levels. For example, Toulouse envisions the creation of a Lisbon-Toulouse-Lyon-Munich diagonal (Savaric 1991), while promoting the development of a Toulouse-Montpellier-Barcelona triangle (Hacquet 1989). Other cities talk about a "Mediterranean arc" that would go from Seville, to Barcelona, Marseille and Roma. Another arc is drawn on the Atlantic side from Galicia to the British coast. "Euroregions" have also been created through transfrontier agreements, for example between Midi-Pyrénées, Languedoc-Roussillon and Catalonia, or Kent and Nord-Pas de Calais, or Saar, Lorraine and Luxembourg. Such difficult exercises in economic checks and balances have become somewhat of a favorite pastime at the subnational level and it almost seems that each new stroke of the drawing pen results in yet another interlocal, interregional, or transfrontier cooperation agreement.

#### Environmental Motivations

In the midst of a frantic race for political, economic, and cultural positioning, the observer is left to wonder whether participants in transfrontier and interregional cooperation schemes pay much attention to the very environment in which they are living. My contention is that local and regional leaders are well aware of the serious environmental problems confronting them, but that these issues are often only considered in conjunction with business interests. Assessing the actual effectiveness of the strategies elaborated to

FIGURE 12. Europe's Territorial Dynamics



Source: Brunet 1989, 29.

protect the environment is the object of the next chapter, but it is fair to say here that in terms of factors motivating the conclusion of cooperation agreements, environmental considerations clearly take a back seat to economic, and even political motivations.

This was not always the case. As noted in chapter II, the need to ensure equitable use of common water resources (whether for navigation, fishing, energy production, consumption, or purification) has often been the driving force behind the establishment of direct transfrontier relations in the past. The second most popular issue for cooperation was waste management, usually to authorize one town to send its waste across the border for incineration or landfill disposal.<sup>26</sup>

The difference with the present situation is that in the 1960s and 1970s, most agreements were single-issue ones, concluded at the local transfrontier level. Today, the scale, as well as the scope, of substate contacts have changed. The past ten years have witnessed the increased involvement of regional authorities, the apparition of non-contiguous relations, and a surge in multi-faceted agreements that encompass several policy areas at once. These new conditions, combined with the pursuit of European economic integration, have often contributed to relegate environmental considerations to a secondary position.

Unfortunately, causes for alarm abound in all three of the case study areas. Many waterways are experiencing appalling pollution. The Rhine, for example, exhibits rising temperatures because of the heated water released from power plants and "no less than one-fifth of the world's chemical industry is sited along its banks" (Clout 1987b, 116). The Rhône is another prime candidate for the title of most polluted waterway. Its course takes a turn for the worse in the agglomeration of Lyon where it is exposed to countless chemical

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<sup>26</sup> See the list of local and regional cooperation agreements in OECD 1979c, 65-80.

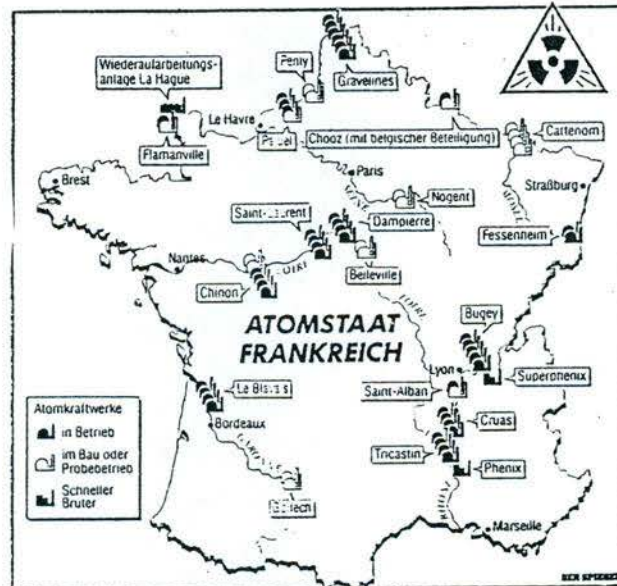
and petrochemical industries in what is known as the "chemical corridor." An impressive number of nuclear reactors also dots its banks from Creys-Malville (site of a very controversial super breeder) to Marcoule (Figure 13). In the high sections of the Pyrenees, the main issue is the protection of critical watersheds, with waters that flow to the lower plains and plateaus and are threatened by tourist development schemes, the build up of transportation infrastructure, and the exploitation of forest resources. Underground water reserves experience severe difficulties as well. Resources extraction activities (potash mines in Alsace, clear cuts in forested areas, etc.), intensive use for agriculture irrigation, and seepage of industrial and domestic waste, and agricultural contaminants, lower the ground waters' quantitative and qualitative levels considerably.

Another problem lies with the use of border regions as favored sites for hazardous installations. In 1979, the OECD secretariat lamented the worrisome tendency to locate industrial or power plant projects next to international boundaries for technical and economic reasons (OECD 1979b, 20).<sup>27</sup> This is particularly true in the case of France, whose succeeding governments have located three large-size nuclear power plants in the immediate vicinity of the national boundaries (in Chooz, Cattenom and Fessenheim, see Figure 13), despite the protests of a then vigorous anti-nuclear movement that certainly contributed to the promotion of transfrontier co-operation at the grass-roots level. More than 1.5 million people in a 31-mile radius would be directly affected by a major release of radioactivity from the Cattenom nuclear plant (Wiedermann 1986, 130). The figures

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<sup>27</sup> Waterways are prime targets for the location of such dangerous activities, since many industries and power plants necessitate large quantities of water for the production or cooling processes. This situation, combined with the fact that rivers are often used as "natural" territorial boundaries, renders hazardous activities siting on the banks of international waterways doubly interesting: Not only does the private or public user rely on an abundant water source, it can also discharge (in a literal sense!) a big portion of its environmental responsibilities on the foreign neighbor(s).

FIGURE 13. Siting of Nuclear Reactors in France



Source: Wiedermann 1986, 125.

increase dramatically if one considers that in case of nuclear accident, proximity is a very relative notion, as the 1986 Chernobyl catastrophe has amply demonstrated. If a radioactive cloud were accidentally released from one of the numerous nuclear plants located in Rhône-Alpes, interregional environmental cooperation between the Four Motors would probably take up many of the urgency and proximity traits that are more characteristic of transfrontier situations. The siting of hazardous facilities is often tied to the issue of domestic and industrial waste disposal. In the Upper Rhine, the scarcity of technically and politically suitable sites for waste incinerators has engendered a heavy transborder traffic, which preoccupies local populations.

Finally, transportation issues heavily impact all of the case study regions. Most often local and regional authorities favor the construction of new infrastructures, whether

as a complement to what they consider an already overburdened network (for example in the Rhine and Rhône valleys), or as a means of developing new communication lines in “under equipped” areas (the central section of the Pyrenees, for example). To assure adequate linkages and palliate the increase in road traffic anticipated with the opening of national borders, most local and regional authorities lobby heavily for the development of new highways and the betterment of existing roads. Several projects have raised controversies, especially in areas where road construction threatens very fragile or protected ecosystems, such as in the Aspe Valley. The proposed Somport tunnel through the central part of the Pyrenees would bring a significant increase in truck and car traffic at the edge of the National Park of the Pyrenees, the last remaining habitat for the endangered brown bear.<sup>28</sup>

The partial list presented above shows that there is no dearth of environmental issues for local and regional authorities to address within the framework of transfrontier or interregional cooperation. These have not, however, been primary catalysts for cross-border environmental cooperation. Moreover, for reasons elaborated in the next chapter, cross-border cooperation schemes have not been a particularly effective framework for dealing with environmental problems.

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<sup>28</sup> For more details on the Somport tunnel and Aspe Valley situation, see the special issue of *Les réalités de l'écologie*, dated May 1992.

## CHAPTER IV

### ASSESSMENT OF TRANSFRONTIER AND INTERREGIONAL ENVIRONMENTAL ACTION

Just how effective transfrontier and interregional environmental actions really are is fairly difficult to assess. To the best of my knowledge, no comprehensive independent study on that subject has been published in recent years. Since most of the information published in the press originates from the local and regional authorities themselves, few critical accounts make it to the newsrooms. Yet, there are a number of deficiencies noticeable in the substate environmental actions. The first section below exposes some of the limitations transregional organizations experience as a result of external factors. The second section offers a study of these organizations' internal limitations to more effective action.

#### Study of the External Limitations to More Effective Action

##### Central Governments' Reluctance to Expand Local and Regional Autonomy

Over the past ten years central governments in Europe have been confronted with calls for greater local and regional autonomy. In many cases, substate authorities have achieved important gains both at the national and European levels. Yet, old centralizing habits are hard to break and state officials are sometimes wary of delegating too many of their prerogatives to lower territorial entities, thereby reducing local and regional administrators' ability to conduct interregional and transfrontier cooperation schemes.

France offers a case in point. After two hundred years of tight political and administrative control by Paris, the decentralization reform enacted over the past decade has

not been able to radically modify the deeply centralist culture that permeates all policy fields, including regional planning. Top state administrators graduating from the prestigious *Ecole National d'Administration* (ENA, National School of Administration) or the *Institut d'Etudes Politiques* (IEP, Institute of Political Studies) in Paris have always divided France into two zones: the capital... and the rest of the country (*Paris et la Province*). Even ten years after the start of the decentralization reform, the parisian bias of the administrative elite remains astonishingly strong. As proof, consider the outcry elicited by the last socialist government's decision to move the ENA from Paris to Strasbourg as part of a "delocalization" effort aimed at moving a number of national administrative services from the capital to other regional locations.<sup>1</sup>

As a result of the strong centralist culture, State administrators have not always readily translated decentralization principles into practice. In particular, Thoenig notes that State ministries have often utilized "deconcentration," not as an accompanying measure to "decentralization," but as a means to recentralize some of the decisions within central offices (Thoenig 1992, 14). Subnational authorities have also complained about a certain confusion in the distribution of administrative responsibilities in instances where the State has only partially delegated some of its prerogatives (Millon 1992, 44).

Statues have been enacted in some policy domains transferring powers to substate authorities. This is the case for environmental policy. The transfer, however, is often illusory. Thus, the 1983 law on the transfer of competencies calls for co-responsibility

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<sup>1</sup> Deciding to move the ENA was a highly symbolic gesture. The choice of Strasbourg, one of the three European Communities "capitals" with Luxembourg and Brussels and home to the Council of Europe, as the future location was also indicative of the political will to "Europeanize" the public administration. Many protested the move, arguing the new students would be too far removed from the center of power (i.e., Paris) and some resented what they perceived as an "exile to the countryside." To appease tensions, the first incoming class was even housed at the Strasbourg's Hilton for several weeks, pending more permanent housing accommodations!

between the State, the regions, and the local authorities in matters of environmental protection, but in practice no significant competencies have been delegated from the central ministry to lower administrative tiers. The regions' main initiative power (*droits d'initiative*) lies with the creation of regional parks. They may also propose environmental regulations in matters of urban or regional planning, but law-making powers remain exclusively with the State. After the French government rejected a proposal by the Senate to grant the regions specific competencies supported by an environmental budget line, it was decided that financing for local environmental actions would have to rely on funds allocated in so-called planning contracts (*contrats de plan*). Regions define a number of priorities, which receive partial funding from the State after negotiation. How much of these planning contracts are devoted to environmental protection varies from one regional government to another (Prieur 1991, 220-225). Such a financial and regulatory dependence on the central government certainly limits the scope of French regional authorities' initiatives in matters of interregional or transfrontier environmental actions. Local governments do have some control over small-scale environmental matters, however. *Départements* are mostly responsible for designing walking and hiking trails, protecting sensitive natural areas, helping with the development of marine cultures, participating in urban planning, and ensuring fire and emergency services (Prieur 1991, 229). *Communes* can act on issues pertaining to urban planning, fight against local pollution, local waste disposal, and the creation of yachting facilities (Prieur 1991, 230).

The limited transfer of authority in environmental matters illustrates the central Ministries' uneasiness with giving more latitude to local and regional officials. It also shows the State's determination to retain control over several sensitive policy areas. The most obvious example is nuclear policy, which is in the hands of *Electricité de France* (EDF), the State consortium responsible for the production of electricity. Decisions and security assessments are shrouded in secrecy and State officials view challenges to their

authority very unfavorably. It is so difficult to have access to radiation information that the General Council of the Bas-Rhin *département* asked for an independent safety study on one of the nuclear reactors in Fessenheim (on the Rhine) in 1989 and the Regional Council of Alsace also commissioned an independent study of the post-Chernobyl levels of radioactivity in the region (“Nobelpreisträger Steinberger soll Fessenheim prüfen” 1989). During the 1986 catastrophic radiation release, the Alsatian population had already experienced the government agencies’ lack of cooperation first hand and had to turn to their German neighbors for more accurate information.<sup>2</sup>

Tight state control is also maintained for matters within the competence of the Ministry of Infrastructure (*Ministère de l’Équipement*). In a 1991 interview about the prospects of European integration, the Minister predicted a huge increase in the volume of road, air, and high speed train transport, which he said would have to be mitigated by the massive construction of new infrastructure. While promising dialogue, he also brushed aside the protests organized against the Somport tunnel and the new TGV line in Southern France by claiming that “one should not make too much of marginal occurrences,” and that the State would have the last word anyway (Quilès 1991).

The reluctance of State administrators to let go of their prerogatives and the lack of competence transfer in policy areas that have a great impact on environmental quality have restricted the scope of local and regional authorities’ cooperation with their foreign partners. An additional limiting factor lies in the structure of those powers that have been

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<sup>2</sup> During the Chernobyl accident, the French so-called “Central Protection Service Against Radiation” (*Service Central de Protection Contre les Rayonnements Ionisants*, SCPRI) persistently downplayed the risk of radioactive contamination to the local population and failed to report adequately on radiation levels. In contrast, on the other side of the border the Baden-Württemberg government issued strict directives regarding the consumption of milk, meat and vegetables, and strongly advised parents and teachers not to let children play outside for several weeks.

delegated to subnational administrative levels. Some have observed that the failure to choose between *régions* and *départements* as main beneficiaries of decentralization has created an overlap of competencies. Such an intertwining of decision-making levels in turn raises financial problems and can lead to over investment problems (Percheron 1992, 28; Millon 1992, 47-51). The president of the Bas-Rhin General Council, Daniel Hoeffel, remarked in 1992 that multiplying intermediary structures was yet another strategy adopted by Jacobins to protect the central power (Hoeffel 1992). Unless the responsibilities of each administrative level are clearly and distinctly defined, local and regional authorities will continue to compete for public financing and political recognition, thereby hampering their willingness to cooperate effectively on other issues, such as transfrontier or interregional cooperation with foreign partners.<sup>3</sup>

While in France centralist tradition still has a strong hold on political life, in Spain it is mostly a distrust of nationalist movements that leads Madrid "to react with irritation on questions of provincial self-determination" (Goerg 1989, 68). Relations between the Spanish capital and Barcelona are often tense, and the President of the *Generalitat*, Jordi Pujol, does not miss one occasion to promote his region's image on the international scene.<sup>4</sup> Of course, the Catalans are quite adamant in defending their cultural identity and asserting their economic achievements, but there is little doubt that the central government's weariness of substate foreign relations has a lot to do with the Basque problem. Madrid fears that paradiplomatic activities at the regional level might eventually degenerate into

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<sup>3</sup> Examples of the lack of cooperation between French local and regional authorities within transfrontier and interregional organizations are presented in the second part of this chapter on internal limiting factors.

<sup>4</sup> Catalonia's hosting of the 1992 Summer Olympic Games and the accompanying world wide advertising campaign launched by its regional government are the most visible illustrations of that strategy (see *supra*, cultural motivations in chapter III).

“proto-diplomacy,” or, as Duchacek defines it, “the conduct of international relations by a non-central government that aims at establishing a fully sovereign state” (Duchacek 1988, 22). Madrid's concerns over Catalanian autonomy are less acute because the Catalan independence movement remains relatively weak. Yet, Madrid may not be able to ignore this economically dynamic region for long.<sup>5</sup>

#### Legal Issues Facing Transfrontier and Interregional Organizations

The reluctance of some central governments to relinquish powers to local and regional authorities also adds to the difficulties encountered in defining the legal status of transfrontier and interregional organizations at the international and national levels. Opinions differ over the necessity to gain a clear legal standing. Some argue that legal and administrative recognition would deprive substate cooperation of the flexibility it enjoys under the present informal structures. Others, and they seem to be in the majority, think that a clear legal status increases the credibility of substate cooperation with national governments and European authorities, thereby allowing for more effective action. Organizations that support local and regional autonomy, such as the Council of Europe, the Association of European Border Regions, the Association of European Regions, and the Council of Local and Regional Authorities, have taken the lead in pushing for legal recognition.

International lawyers note that “the major obstacle to establishing cross-border relations is in fact due to the traditional rules of state sovereignty embodied in international law principles (...)” (Ercmann 1987, 23) and that a strict interpretation of the territoriality

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<sup>5</sup> In a 1989 article, Georg reported rumors about the preparation of an official decree forbidding Barcelona from pursuing any kind of foreign policy (Goerg 1989, 68). Apparently, Madrid did not follow through on its threat.

principle hampers the application of environmental regulations to transfrontier situations (Raum-Degreve 1989, 91). In the late 1950s, the Lake Lanoux case had already upheld the concept of border over frontier in a water management dispute opposing the Spanish and French governments in the Pyrenees. The court rejected the Spanish proposal for sharing management responsibilities in cases where one government's decisions would have had a negative impact on the other side of the border, despite the existence of local customary laws in the Pyrenean valleys sanctioning the common use of natural resources (Blumann (1980, 27-28)).<sup>6</sup> More than thirty years later, international law still clings to the principle of strict State sovereignty over national territories.

Yet, a number of disadvantages arise when a transfrontier problem is treated through international law mechanisms rather than in the context of simple neighborhood relations. In its 1980 report on transfrontier pollution, the OECD pointed out four main disadvantages: 1) important delays may occur due to the complexity of differing administrative rules and the formality of international agreements; potential differences of interests may arise between the State and substate levels; and local representatives may lose control local circumstances; 2) there can be increased financial and personnel costs; 3) elected officials and the population can fail to participate out of concern that practicing a "fait accompli" policy could antagonize local populations and lead them to reject a proposed solution; 4) finally, conflicts can be exacerbated through a lack of direct consultation between transfrontier administrations and populations at the local level (OECD 1979c, 50-53).

As a general rule it can be said that the involvement of central governments removes the decision-making power from the people most directly concerned by the environmental

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<sup>6</sup> For more information on such customary agreements, see *supra*, chapter III. See also Robert 1980, 4 and Godard 1987, 48, 108-115.

problems, whether those are of a transfrontier nature or not. Besides an increase in cost and added delays, going up the territorial bureaucracy ladder also diminishes the necessary familiarity with a given local situation. As Sack puts it, "generally as one goes up the hierarchy [of territories], the range of control over the bottom increases, while detailed knowledge of the bottom decreases" (1981, 69).

The apparition of an increasingly powerful supranational level in Europe also impacts regional environmental policies and carries potential dangers. The progress of European unification adds a third, and further removed, level of political, economic, and legal decisions. With the State as main interlocutor of the European institutions, it is unfortunately likely that local issues not addressed by central governments might also be neglected at the EC level (Murphy in press). At the same time, although local and regional authorities have only limited consultation powers with the EC, they carry an increasing part of the burden of implementing EC legislation in the environmental field. Raux points out that subnational governments have to keep abreast of new rules and regulations that might concern them in order to avoid infractions in the short term and wasting money on obsolete investment in the long term (1990, 336).

When it comes to financing of transfrontier or interregional cooperation projects, the lack of legal standing seriously complicates the tasks of the substate organizations' administrators. In the case of the Working Community of the Pyrenees, the absence of a common budget forces each partner to take financial responsibility for one aspect of a given project. This situation considerably increases the complexity of the billing process. Even more problematic is the distribution of the INTERREG funds recently made available by the European Communities to transfrontier programs. Monique Dejean-Servières coordinates the work of the Midi-Pyrenees regional government within the environmental Committee of the Working Community of the Pyrenees. She notes that since the WCP has no legal existence and is not officially recognized by the French government, EC funding

for its transfrontier projects cannot come directly from Brussels. It has to transit through Paris first, with the risk that the French central administration redirects part of the funding according to its own priorities (Interview held in Toulouse, Midi-Pyrenees, in February 1992).<sup>7</sup>

In the absence of international solutions, members of transfrontier and interregional associations have had to juggle a large number of widely different national laws. European governments vary in their recognition of substate foreign relations. Even federal States usually include some sort of Federal consent clause or other control mechanisms. In the case of partially regionalized countries like France, local and regional authorities are only given limited leeway.<sup>8</sup> Such restrictions by national governments have led substate entities to conclude "gentlemen's agreements", which do not have legal binding force. Lothar Späth of Baden-Württemberg remarked in 1989:

I inform the Federal foreign minister before and after every journey and, if necessary, I ask him for his approval of my plans. But that apart, very often the agreements with Mr. Pujol and my other partners are not treaties under international law--that's why Bonn's consent is not necessary (Quoted in Goerg 1989, 68).

However, the informal character of cooperation agreements still offers no remedy for the differences in administrative competencies between local and regional authorities.

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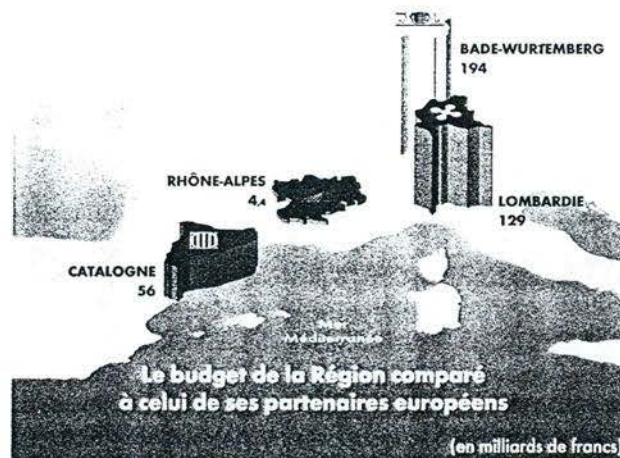
<sup>7</sup> In an article on frontier workers in the Regio Genevensis, Bailly mentions a Franco-Swiss agreement whereby the Canton of Geneva accepted to transfer a certain amount of tax money to the neighboring French *communes* in order to help them with the financing of infrastructures needed by the workers living in France and commuting to Geneva every day. He notes that "the main difficulty in the negotiation stemmed from the fact that the Genevan authorities did not want the transferred sums to be processed through the central government in Paris. (...) The obligation to effect transfers through Paris would have wrecked the agreement since the French Ministry of Finance would have been in a position to distribute the sums according to its preferences, as perceived from the center." A compromise was reached that allowed for a direct transfer in the pioneering agreement (Bailly 1988, 192).

<sup>8</sup> See chapter III, *supra*, on the evolution of the French law since the decentralization reform.

Among the Four Motors, for example, Rhône-Alpes lags behind its partners in a number of domains: the French region does not have constitutional status; it does not have normative powers; it has no say over the functioning of State administrations; and although it has management powers in certain areas, a comparison of the four partners' annual budgets shows how limited those powers really are (figure 14).<sup>9</sup> The differences in legal and administrative systems produce differences in political priorities as well. As Bailly notes about contacts at the Franco-Swiss border, Basle has an

implicit foreign policy at the regional geographic level, [but that it has to deal] with a French State which does not have a specific strategy at that particular scale. (...)International engagements are situated at different geographic levels (Bailly 1988, 190).

FIGURE 14. The Four Motors' 1992 Budgets in Comparison  
(in Billions of Francs)



Source: Dossier Special Budget 1993, 9.

<sup>9</sup> Monique Dejean-Servières confided that it took about eighteen months for the environment committee's members to become familiar with the intricacies of each partners' institutional system (Interview, February 1992).

### Internal Limitations

#### Predominance of Economic Motivations

##### Emphasis on Economic Development

Many authors have pointed to economic development as the basic force behind transfrontier cooperation. Herzog (1991) notes that the Upper Rhine Regio got its start “in the city of Basel in 1963, at a time when the economic elite from the Swiss pharmaceutical industries were searching for new markets” (Herzog 1991, 593). One of the main architects and long time President of the Regio Basiliensis was an economist, Hans Briner, and together with its Alsatian and Freiburger partners, the Basler organization has “served as a catalyst for transborder business and marketing” (Herzog 1991, 594). Twenty years after the start of the Regio, the creation of the Working Community of the Pyrenees was also largely contingent on the perceived need by local officials and planners to devise economic and regional policies that would alleviate some of the problems peculiar to mountain regions:

depopulation, a disintegrating social and economic fabric, under-utilization of agricultural land, dwindling public services, inadequate communications, lack of productive investment in agriculture, and runaway tourist development in certain areas (Council of Europe 1982).

Finally, the Four Motors’ decision to create an interregional association in the late 1980s was essentially based on the desire to take advantage of the four regions’ economic complementarities and strengthen their common position on the European integrated market.<sup>10</sup>

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<sup>10</sup> For more details on the socio-economic motivations for interregional and transfrontier cooperation, see Chapter III, *supra*.

No one disputes the fact that regional politicians and business interests should pay attention to the state of the local and regional economies. A cause for concern, however, is the narrow conception of economic development that these advocates of interregional and transfrontier cooperation espouse. In particular they make little effort to incorporate environmental considerations in their overall economic decisions and continue to function in a strictly growth-oriented mode. This hardly comes as a surprise. Despite the publicity that discussions on the concept of "sustainable development" have received over the past few years in the environmental movement and within the United Nations, the vast majority of political and economic decision makers are still quite unwilling to revise their liberal economic philosophies--arguably even more so since the collapse of Eastern European economies. The fascination for strong economic growth certainly runs deep within the European institutions, which have based their push for integration on the belief that the total suppression of borders would bring a strong boost to the EC Gross Domestic Product.<sup>11</sup> One problem, however, is that such an increase, even if it were to happen, would probably do nothing to alleviate already existing regional imbalances. Even Bruce Millan, one of the twelve EC Commissioners, has admitted that there was a potential for increased regional disparities and indicated the need for weak regional economies to develop faster than wealthier ones (Millan 1989, 13). Unfortunately, many catch-up efforts (often partly financed by the FEDER and other EC regional development funds) have already been attempted without serious consideration of negative environmental impacts, and it is very possible that EC integration could eventually work "to the detriment of small-scale, environmentally sustainable interests" (Murphy 1989 in press).

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<sup>11</sup> See the 1988 Cecchini Report on the "Cost of Non Europe," mentioned in Commission 1989, 12-15; and Commission 1988b.

Examples of strict separation between “economic” and “environmental” issues or of neglect of environmental questions are not difficult to find: The yearly studies published by the Regio Basiliensis on the state of the economy in Northwestern Switzerland do not make any mention of the environment.<sup>12</sup> Reimer reports that ecological considerations were largely absent from the fourth “Dreiländer” Conference held in Karlsruhe in 1992, which dealt with the region’s economy under the title of “Regio: A Model for Europe.” Apparently, the organizers and delegates considered that the environment had been given enough attention at the previous Conference, which was dedicated to that topic (Reimer 1992).<sup>13</sup> The word “environment” does not appear at all in the first Memorandum of Cooperation signed in September 1988 by the Four Motors (Appendix B). The topic of “environmental cooperation” is only introduced in the second Memorandum, which incorporated the Canadian region of Ontario in 1990 (Appendix C). In the Pyrenees, the 1982 Jaca Declaration, which proposed the creation of the Working Community of the Pyrenees, devotes only one sub-section to environmental protection; the rest of the document focuses on economic development, tourism, and the building of new dams (Council of Europe 1982; Godard 1987, 436).<sup>14</sup> Indeed, it took four years for the Committee on the Environment to start functioning alongside other long-established committees such as communications, tourism, mountain economy, technological

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<sup>12</sup> See *Regio Wirtschaftsstudie Nordwestschweiz* 7(13) 1992.

<sup>13</sup> See the report published by the Regio Basiliensis under the title *Dritter Dreiländerkongress "Umwelt-Oberrhein,"* 12, 1992.

<sup>14</sup> Godard notes that the Jaca Declaration contains a much more cautious language than the 1978 Lugano Declaration establishing the Alpen-Adria Community and which had served as a model for the WCP. She mentions that in the Lugano Declaration, the need to protect the environment is mentioned repeatedly, either in relation to economic activities, the development of infrastructures, and planning, or as a general theme of transfrontier cooperation (Godard 1987, 437).

innovation, or culture. Finally, both the WCP and the Four Motors have considered adopting the legal structure of a European Economic Interests Grouping (*Groupe Européen d'Intérêts Economiques, GEIE*), which would have made economic activity even more central.<sup>15</sup> However, the GEIE statutes turned out to exclude non-profit institutions and the territorial authorities had to abandon the idea (Dolez 1992, 44-45).

#### Avoidance of Controversial Environmental Issues

The desire of local and regional officials to attract foreign investment and position their associations on the integrated European market has also led them to put considerable effort into creating an “entrepreneurial” image on the international scene and at home. This might be especially true of the French territorial authorities, which compete with each other for increased political and financial recognition in the newly decentralized administrative system.<sup>16</sup> Yet, even the German *Länder*'s presidents do not spare their energies in acting as itinerant ambassadors for their regions (Goerg 1989, 66).

One consequence of the search for a smooth image susceptible of alluring investors, however, is to steer local and regional decision makers away from potentially controversial environmental problems. I believe this is in part why so much of the activity of

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<sup>15</sup> Monique Dejean-Servières from the WCP and Frédéric Bonhoure from the Four Motors both told me in 1992 that their organizations were studying that option. I am not aware of a similar move by the Upper Rhine Regio, which is not surprising since the Regio already enjoys governmental recognition thanks to its semi-official status and longer existence.

<sup>16</sup> The lack of cooperation and coordination of French territorial authorities among themselves is examined below, pp..... Percheron notes that the aggressive public relations strategies of the French regional entities seem to have worked in their favor. Although they are the youngest administrative subdivisions and have not been given as much power as their foreign counterparts, French public opinion strongly support the *région* as the political and administrative unit of the future. This regionalism is not linked to identity issues; it instead reflects a pragmatic, functional approach, which sees regions as additional sources of subsidies. Regions have also developed an image of modernity and innovation, especially in the European context (Percheron 1992, 30-31).

transfrontier or interregional associations focuses on what I would call “soft” environmental issues, i.e., scientific research, the development of “green” products and anti-pollution devices, the mapping of sensitive areas, the inventory of existing environmental facilities, etc. This is not to say that in-depth research should not be conducted. On the contrary, regional environmental studies are sorely needed, especially to homogenize evaluation criteria and palliate the lack of compatible national data in transfrontier areas. Yet the impression remains that substate organizations feel more comfortable with preparatory work than with the actual implementation of environmental actions and plans. They also show more interest in promoting green industrial interests than in encouraging pollution control in the other industrial sectors.

Another reason for following a rather timid approach to environmental problems is the consensual nature of the organization’s decision-making process, which renders all projects very dependent on the goodwill of each individual participant. In the case of the WCP, Dejean-Servières remarks that the regional authorities are committed to working at the scale of the whole mountain range, rather than creating a series of bilateral programs, and that it is difficult to identify actions that meet the approval of all member regions at once (Dejean-Servières, Interview 1992). The WCP has chosen to staff the Environmental Committee with technical experts, instead of political appointees, with the hope that projects would progress more rapidly. Yet, even technical preliminary studies are sometimes very difficult to complete. Catalonia, for example, had launched a project aimed at identifying hazardous waste disposal sites on both sides of the Pyrenees. However, when experts decided that the EC guidelines would be used to classify the different facilities, instead of those used in Catalonia, the regional government started to drag its feet. As a result, the survey of the Northern slope of the Pyrenees is now done, whereas the data on the Southern side is still missing (Interview 1992).

## Piecemeal Approach to Environmental Issues

In addition to indulging in a brand of economic development that often fails to fully take environmental considerations into account, the transfrontier and interregional organizations studied here share an approach to policy making that is lacking in at least two domains. First, territorial authorities involved in cooperation tend to function in isolation, not only from other levels of substate governments whose interests might be at stake, but also from the general public and environmental organizations critical of their actions. Second, the search for environmental solutions fails to depart significantly from the approach followed at the State level, and little thought seems to have been given to options that would be particularly appropriate at the scale of geographic and ecological regions.

### Policy-Making in Isolation

#### Lack of Cooperation Within and Between Substate Associations

Despite much talk about on the benefits of cooperation, participants in transfrontier and interregional agreements do not always appear to live by what they preach. Press clippings and the literature published by transfrontier organizations leaves the observer with the impression that interactions between local and regional authorities, as well as exchanges between cross-border associations, are much too limited.

Let us take the Working Community of the Pyrenees as an example of the reluctance of regional authorities to involve local governments in their work. The association's statutes subject subregional participation to the goodwill of the official members, i.e., the regional entities, which are simply encouraged to include subregional representatives in their delegations "whenever possible." One wonders what types of obstacles could be invoked. In addition, those committees accessible to local authorities have only consultative powers and are not represented in the meetings of the executive

organ, the Community Council (Godard 1987, 440-441). While it is legitimate to create a cooperation structure that is essentially “regional” in nature, it seems much more questionable, even counter-productive, to have the right to exclude local communities’ input from that organization’s work. Regional authorities thereby perpetuate the very methods they accuse the State of using towards them.

Such lack of consultation is yet another reflection of the political and economic conflicts of interests that often plague relations between local and regional governments. Again, the problem has especially deep roots in France, where imprecise administrative competencies lead *régions*, *départements* and *communes* to compete, rather than cooperate, for increased powers and financial might. There is little doubt, for example, that the city of Mulhouse and the surrounding *département du Haut-Rhin* (Upper Rhine) consider cooperation within the Regio as a useful counterpoint to the influence of the Alsace region, with its capital Strasbourg, located in the Lower Rhine.

Unfortunately, environmental protection has nothing to gain from uncoordinated actions and political disputes. What is needed instead is a true integration of local and regional policies across borders, especially in frontier areas. As noted earlier, many interesting initiatives have already been taken at the local level. In the Upper Rhine the city councils of Mulhouse and Freiburg started to hold joint sessions in 1990. The cooperation efforts pay special attention to transportation issues, such as the development of public transportation across the Rhine in order to ease the flow of transfrontier workers and the creation of transfrontier bike paths (“Wir wollen die Avantgarde... “ 1991). Both cities are also interested in working with adjoining counties to form a “Comregio” South-Rhine, which could become a local equivalent to the wider Regio organization (Michaelis 1991; Schwitalla 1991). While almost any kind of environmental initiative is a welcome improvement over the status quo, there remains the need to incorporate these local actions within a regional framework. All too often comprehensive planning does not occur and

each territorial level pushes its own agenda, leaving an impression of relatively inefficient and sporadic activity.

The same--or even greater-- confusion can be felt in interlocal or interregional relations and some observers have come to question the real value of such agreements, as their number increases rapidly. Interregional partners, for example, show an obvious interest in securing European Communities funding for individual projects, but are less willing to share these resources with lower administrative levels. In addition, the recent tendency among European regions to make alliances with geographically remote foreign partners also complicates the planning of joint programs. Thus, within the environmental committee of the Four Motors, the working group on water placed under the responsibility of the Canadian province of Ontario, has reportedly been making slower progress than the other groups, mainly for logistical reasons linked to the difficulty of organizing meeting over great distances--not to mention the added strain on financial resources (Bonhore, Interview May 1992).

Finally, transfrontier and interregional associations do not show many signs of consultation and cooperation with each other. The Rhône-Alpes region, for example, keeps its involvement in the Four Motors and in the transfrontier Working Community of the Western Alps (COTRAO)<sup>17</sup> totally separate. Two different persons handle the administration of the programs and there is apparently no real effort at communication between the environmental committees of both organizations. Supralocal and regional support organizations, such as the Association of European Regions or the Council of

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<sup>17</sup> The COTRAO is the most recent organization to be set up to further cooperation between alpine regions. In existence since 1984, it has member regions from Italy (Valle d'Aosta, Piedmont, Liguria), Switzerland (the cantons of Vaud, Valais and Geneva), and France (Provence-Alpes-Côte d'Azur and Rhône-Alpes). For more information on the COTRAO, see *Regions of Europe* 2(1990), pp. 31-32.

Local and Regional Authorities in Europe, encourage the exchange of experience between participants in cooperation projects, but much remains to be done in that domain.

#### Isolation From Environmental Organizations and the General Public

If the lack of coordination within and between transfrontier and interregional organizations arguably lessens the efficiency of environmental (and other) actions, elected officials' isolation from private citizens make matters even worse. Despite many claims to the contrary, institutional actors are not always willing to take dissenting opinions into consideration. The Regio, for example, boasts of an active involvement in environmental planning and pollution prevention in the Upper Rhine region. Over its thirty years of existence, the organization has certainly paid a great deal of attention to those issues, but in many cases it has taken the side of economic interests over environmental ones, even when confronted with mounting public pressure. For instance, the Regio lobbies heavily for the expansion of the trinational Basle-Mulhouse-Freiburg airport, despite the opposition of environmental groups which have built transfrontier alliances around this issue. In October 1990, about 2,000 demonstrators from Alsace, South Baden and Northwestern Switzerland gathered at the airport to demand "no more runways, less noise, and less air pollution." The action was endorsed by 43 different groups located all over the frontier region (Epple-Gass 1992, 158-160).

More generally, environmental activists in the Regio have become increasingly wary of the pro-European unification and economic development stance adopted by most local and regional officials. The most virulent critics see the Regio's environmental efforts as little more than sugar coating on the bitter pill of economic expansionism. They also charge Regio organizers with systematically excluding independent environmental interests from the main Regio-sponsored events. Thus, in March 1991, the *Bund für Umwelt und Naturschutz* of Baden-Württemberg denounced the hypocrisy of organizing a much

publicized "Upper Rhine Environmental Conference" without even inviting any of the region's environmental groups ("Grenzüberschreitende Schönfarberei" 1991). The following year, environmentalists were also excluded from the "Economic Conference," in which most of the 700 participants avoided touching on controversial topics, such as the conflict over the siting of the waste incinerator between Strasbourg and Kehl (Reimer 1992). A coalition of 20 organizations from the "Three Corners" area were also very dissatisfied with the vague promise of "intensifying cooperation in matters of environmental protection and regional planning" written in the official tripartite Declaration signed by Mitterrand, Delamuraz, and Kohl at the historic 1989 "Regio Summit" in Basel.<sup>18</sup> The coalition made public its own "Environmental Declaration," where it listed a number of issues needing to be addressed at the transfrontier level and offered assistance in the search for adequate solutions ).

Some participants in institutional cooperation have already become aware of the danger of isolation inherent in restricting substate relations to the sole involvement of elected officials. Most often, however, openings are made towards business and other economic actors, rather than towards environmental groups or the general public. Regional leaders now often invite business and industry representatives to join them on official trips to foreign partner regions, but members of regional environmental groups have yet to receive similar invitations.

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<sup>18</sup> The 1989 "Regio Summit" marked the 25th anniversary of the beginning of transfrontier cooperation in the Upper Rhine. In a symbolic gesture, the French and German heads of State decided to travel to Basel aboard their high speed trains, the TGV and ICE, respectively. All the region's newspaper published the picture of the official encounter: the orange TGV and white ICE facing each other at the station, with Delamuraz' more prosaic "Train 2000" in the background. The irony of choosing two emblems of national pride and fierce competition on the international transportation market to promote stronger regional cooperation seems to have been lost on the Regio organizers and most commentators (see the numerous press articles reprinted in the June 1990 issue of the *Regio Gazette*, published by the Regio Basiliensis).

Local and regional authorities are arguably making a big mistake by paying only lip service to the concerns of many of their citizens. Transfrontier environmental movements are growing in strength. These movements, which trace their origins to the anti-nuclear power plants demonstrations of the 1970s are now very concerned about the ecological impact of European integration on frontier areas.<sup>19</sup> Environmental protection groups becoming better coordinated; the creation of the *Drei-Länder-Forum Umwelt* (Three Corners Environmental Forum) in November 1990 marked a departure from a form of transfrontier action that some activists considered as too sporadic and informal to be really efficient (Epple-Gass 1992, 160-161). Even in France, where public environmental consciousness has traditionally lagged behind that of Germany, Denmark, and the Netherlands, local and regional politicians now have to reckon with the growing influence of green parties (*Les Verts* and *Génération Ecologie*) and non-profit organizations. In 1992, for the first time, green representatives were voted into several regional councils,<sup>20</sup> and they wasted no time in proclaiming their intent to hold regional authorities accountable, even on environmental issues that do not fall entirely within regional competencies (Cordelier 1992). This attitude is easy to explain when one considers that French regional leaders have never shied away from taking advantage of legislative loopholes in order to expand the scope of their political and economic powers. Since a significant number of the

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<sup>19</sup> In an excellent article, Swiss political scientist Epple-Gass examines the impact of the transfrontier environmental movement on the European consciousness of the Basel region. He underlines the key role played by three issues in developing transfrontier environmental contacts at the grass-roots level: the opposition to the construction of high-tension power lines across the Franco-Swiss border; the protests against the siting of a nuclear power plant in Kaiseraugst; and the fight against the expansion of the Mulhouse-Basel airport (Epple-Gass 1992).

<sup>20</sup> One member of the Green Party, Marie-Christine Blandin, was even elected to the presidency of the Nord-Pas-de-Calais region, after the Socialists chose to endorse her rather than leave the position to a member of the conservative RPR party (Cuaz 1992).

50 priority issues identified by the Greens lie within their territorial boundaries, regional authorities in the three case study areas can expect to deal with increased environmental pressure.

## CHAPTER V

### CONCLUSION

In this study, I have attempted to document the development of foreign relations between substate authorities in Europe and to evaluate the potential impact of increased local and regional autonomy on issues pertaining to environmental protection. Several positive aspects of transfrontier and interregional cooperation come to mind immediately.

First, these contacts widen the scope of issues treated by local and regional governments and help justify claims for greater autonomy within each State. I believe that greater autonomy below the State level constitutes a positive step for environmental protection, as it restores more power and confers the right of initiative to those who are most directly affected by environmental problems. Naturally, State guidance is also needed to guarantee that minimum--and preferably high--standards of environmental quality are respected, even by local interests that would otherwise stand to gain (at least in the short term) from the reckless exploitation of natural resources.

Second, contacts across national borders also widen the horizons of local and regional officials who are exposed to the different administrative and political cultures of their foreign counterparts. Not only do substate authorities with limited autonomy become more conscious of the limitations imposed on them by their national government. They also gain a better understanding of the environmental debates unfolding in their partner regions and benefit from the experience the latter have accumulated over the years. Southern European regions, for example, are bound to profit from contacts with their Northern European partners, who have traditionally displayed a higher environmental consciousness and are dealing with strong, well-organized grassroots movements.

Third, through transregional contacts, local and regional authorities have started to fill a major information gap. Indeed, the State's stranglehold on "most large-scale data gathering activities," (Murphy 1993, 104) combined with its steadfast affirmation of strict territorial sovereignty, have drastically limited the amount of transfrontier and comparative data available to experts and decision-makers at the substate level. The members of most transfrontier and interregional environmental committees have come to realize that joint mapping efforts, comparative studies of environmental regulations, and the definition of common measuring standards are usually necessary before attempting to draft action plans or formulate other environmental projects. In addition, joint research programs helps avoid the duplication of costly investments and free scarce financial resources to focus on topics of regional importance, which may not be a national priority and therefore receive little attention at the central level.

Finally, and may be most importantly, transfrontier and interregional cooperation seriously challenges the dominance of state-centered perspectives in the search for international environmental solutions. Some environmentalists are adamant in their rejection of the "nation-state" model. Green representatives to the European Parliament do not hesitate to proclaim that "for the Greens, the State is the main enemy," "the nation-states offer no valid solutions anymore," or "I believe there is a fundamental antagonism between ecology and State" (quoted in Lubatti 1991, in translation). Without going quite as far, local and regional officials point to the mistake of basing most international and national regulations on the fallacious idea that boundaries resemble retention walls. Even a modicum of common sense is enough to realize that pollution knows no borders. Foreign relations by non-central governments helps question the operation of "a nation-state that no longer corresponds to the realities of the twentieth century" (Bailly 1988, 189).

Unfortunately, a close look at the motivations for seeking transregional contacts and at the functioning of substate organizations reveals the subservience of environmental

interests to mostly economic and political considerations. The local and regional authorities presented in the three case studies do not put nearly as much effort in pollution prevention and abatement as the seriousness of the attacks on their regional ecosystems would warrant them to do. Part of the problem can certainly be ascribed to the limited responsibilities allocated to substate governments in some countries. Central administrations' reluctance to expand local and regional autonomy, as well as the lack of a clear legal status vis-à-vis national and European institutions, reduce the effectiveness of transfrontier and interregional actions. What should be avoided, however, is to use real limiting factors to camouflage a less than lukewarm commitment to environmental responsibility. The case-study organizations seem to engage in forms of economic development that do not take full environmental cost into consideration. There is little indication that they will significantly change their attitude in the near future, as they continue to cultivate their good business image and shun taking side in controversial environmental issues. In order for substate cooperation to develop its full potential with respect to environmental protection, I believe at least four main conditions must be met.

First, local and regional authorities must continue to exert pressure on national and international institutions to gain more autonomy and legal recognition. It is very important that non-central governments be given more say in the decisions of the European institutions, since they are increasingly made responsible for the application of European decisions and directives at the local and regional level. To that effect, they should work even closer with the relevant organs of the Council of Europe and take full advantage of the information and technical assistance services provided by supralocal and supraregional organizations such as the Council of European Municipalities and Regions, the Association of European Regions, and the Association of European Border Regions. It is also essential that they muffle the rivalries pitching one tier of substate government against another. The

ensuing effect of confusion and inefficiency can only damage their credibility in front of central administrations.

Second, substate organizations have to encourage, rather than discourage, public involvement in their affairs. Commenting on the French decentralization process, a political observer made the following statement:

Decentralization cannot be conceived as a multiple reproduction of the national model at the local level, because existing political and administrative mechanisms would only multiply the flaws of centralized power. Instead, decentralization must focus on reinstating the citizen, with his/her local roots, into the decision-making process; in other words decentralization must go hand in hand with democratization (Reboud 1991, 98, in translation).

The same reasoning applies to the pursuit of cross-border contacts by local and regional governments. In matters of environmental protection and economic development, substate officials cannot perpetuate the same "fait accompli" policies they deplore at the State level. Changing for the better would entail using transfrontier parliamentary bodies in frontier regions, and, more generally, give enough powers to the legislative. The Green members of the Baden-Wurtemberg regional assembly, for example, criticize the hypocritical attitude of regional governments who call on the State for creating more democratic structures and yet strive to reinforce their own executive powers at the same time (Wie die Fraktionen ihre Arbeit sehen 1991, 34-35). A second crucial element for democratization consists in promoting direct involvement of the public. In an article on European federalism, Kux speaks of the emergence of a "Europe of the citizen" through the cross-border activities of citizen groups and non-governmental organizations (Kux 1992, 97). What appears to be missing right now is a meaningful link between this "Europe of the citizen" and the "Europe of the regions" advocated by substate authorities. If the latter fail the test of transparency, they can count on strong resistance by the local population.

Third, it is important to retain the spontaneity and flexibility that has characterized much of substate cooperation efforts until now. The difficulty will be to find a balance

between organizational structures too rigid to offer rapid consideration of issues brought to their attention and structures too amorphous or overlapping to work efficiently. In a situation of "complex diversity" (Kux 1992, 103) the challenge is to integrate the centrifugal and centripetal forces that threaten to pull organizations apart.

Trying to define adequate organizational structures for cooperation leads to the last suggestion I want to present here, i.e., the need to take a fresh look at the territorial structures upon which cooperation is based. A number of local and regional authorities have already taken an important initiative by jumping over the wall of State territorial sovereignty and embracing direct relations with their foreign neighbors. I would argue, however, that they need to go one big step further for the sake of environmental protection. There are only limited benefits to be derived from juxtaposing two administrative units derivative of the State and transform them in an all-encompassing territorial entity. The danger lies in simply replacing one set of boundaries by another one, instead of adopting truly innovative solutions that would be better adapted to the nature of environmental problems. Rather than basing the scale of environmental programs on administrative entities defined arbitrarily, it would make ecological sense to use an ecosystem approach to identify the territories relevant to the treatment of a given problem or to the management of natural resources. It must be said to the credit of local and regional politicians that they are not the only ones to ignore the issue of redefining territorial units away from a state-centered perspective. Lazzi (1992, 110) notes that even the specialized literature on micro-diplomacy is largely descriptive. The emphasis largely falls on the structural obstacles to substate cooperation, but little is written about a revision of territorial organization along more ecological lines. According to Dürrenberger and Jaeger (1991), there is no significant body of research that combines regional issues with ecological problems. Most people also feel a strong reluctance to challenge the notion of clear-cut boundaries in favor of the fuzzy uncertainty of ecological frontiers. Sack and others have analyzed people's basic need to

live in a bounded space and the feeling of security that they derive from situating themselves within well-defined territories (Sack 1986; Leimgruber 1991). Yet, as Sale notes,

There is an advantage in keeping borders vague, even if it goes against the scientific love of fixedness, for it tends to encourage a blend, a cross-fertilization of cultures at the bioregional edges, to blunt the possessiveness and defensiveness that rigid borders so often cause, and to keep in check the human propensity to stamp our lines and purposes on nature's (Sale 1991, 59).

It would be very naive to believe that such a radical departure from our current compartmentalized vision of the world will happen in the near future. The "nation-State" model has not outlived its usefulness yet, but the local and regional levels of human organization are bound to regain a lot of their past significance, as people start to search for more sustainable ways to exist on the planet. Experiments in substate cooperation across national borders have the potential to provide excellent testing grounds.

## APPENDIX A.

## DAUERHAFTES BAND DER FREUNDSCHAFT

## I.

Für das Land Baden-Württemberg und die Region Rhône-Alpes ist die Weiterentwicklung der verschiedenen Ebenen europäischer Zusammenarbeit zur Europäischen Union entsprechend der Stuttgarter Deklaration der Länder der Europäischen Gemeinschaft vom 19. Juni 1983 oberstes Prinzip ihrer Europapolitik.

## II.

Das Land Baden-Württemberg und die Region Rhône-Alpes sind der Auffassung, daß die interregionale Zusammenarbeit das Einigungswerk auf nationalstaatlicher Ebene fruchtbar ergänzt. Ein konkretes, partnerschaftliches Zusammenwirken vergleichbarer europäischer Regionen auf den Gebieten von Wirtschaft, Wissenschaft und Kultur kann dem europäischen Gedanken entscheidende zusätzliche Impulse vermitteln.

## III.

Beide Regionen haben deshalb am 17. Juni 1986 in Lyon eine Zusammenarbeit vereinbart, in deren Rahmen sich die Regionen gegenseitig bei der Vertiefung der deutsch-französischen Beziehungen, vor allem auf dem Gebiet der Forschung, des Technologietransfers, der wirtschaftlichen Zusammenarbeit, der Aus- und Fortbildung, des Jugendaustausches und der Kultur unterstützen wollen.

## IV.

Das Land Baden-Württemberg und die Region Rhône-Alpes stellen fest, daß sich diese Zusammenarbeit innerhalb eines Jahres mit einer Dynamik entwickelt hat, die für die künftige Zusammenarbeit zu großen Hoffnungen Anlaß gibt.

## V.

Die bisherige Bilanz der Zusammenarbeit beweist, daß beide Regionen auf dem richtigen Wege sind. Beide Seiten stellen mit großer Befriedigung fest, daß sich die gegenseitigen Beziehungen in Wirtschaft, Technologie, Forschung und im kulturellen Bereich deutlich gefestigt haben. Sie bilden eine tragfähige Grundlage für eine konstruktive Weiterentwicklung der Beziehungen. Die bereits durchgeführten gemeinsamen Projekte haben gezeigt, daß ein großes Potential für eine enge Zusammenarbeit vorhanden ist.

Von den Projekten des vergangenen Jahres sind beispielhaft folgende zu nennen:

1. Bildung eines gemeinsamen Koordinationsausschusses, der Projekte und Programme veranlaßt sowie deren Verwirklichung begleitet.
2. Technologieexperten-Seminar im Dezember 1986 am Deutsch-Französischen Institut in Ludwigsburg.
3. Aufenthalt einer 20köpfigen Gruppe kleinerer und mittlerer Unternehmen aus Rhône-Alpes im Mai 1987 in Karlsruhe mit dem Ergebnis mehrerer konkreter Kooperationsanbahnungen.
4. Vereinbarung einer engen Zusammenarbeit zwischen der Union Patronale Rhône-Alpes und der Landesvereinigung der Baden-Württembergischen Arbeitgeberverbände, insbesondere zur Vermittlung von Industriepraktika.

— die Kooperation in der Grundlagenforschung u. a. auf dem Gebiet der Supraleitung zwischen der Universität Karlsruhe, der Universität Grenoble und dem Institut Laue-Langevin;

— Gemeinschaftsprojekte auf dem Gebiet der Architektur und Stadtplanung zwischen der Universität Lyon II, den Architekturschulen Lyon und St. Etienne sowie der Universität Stuttgart;

— die Kooperation bei der maschinellen Übersetzung und Sprachverarbeitung Deutsch-Französisch zwischen der Universität Stuttgart und der Universität Grenoble.

7. Vereinbarung kultureller Austauschprojekte, die bereits durch die Teilnahme einer baden-württembergischen Theatergruppe an den Festspielen in Lyon und in Ausstellungen im August in Ludwigsburg, im September in Reutlingen ihren Niederschlag fanden.

## VI.

Beide Seiten begrüßen nachdrücklich die Bereitschaft von Wirtschaft, Wissenschaft und Kultur, die begonnenen Kontakte fortzuführen und Projekte zu vereinbaren, die, ausgerichtet an gleichgelagerten Interessen und Zielsetzungen, ein dauerhaftes Band der Freundschaft und des Verständnisses zwischen dem Land Baden-Württemberg und der Region Rhône-Alpes knüpfen.

Für die kommende Arbeitsperiode sind u. a. folgende Maßnahmen vorgesehen:

1. Einrichtung einer Direktflugverbindung zwischen Lyon und Stuttgart;
2. Intensivierung des Unterrichts in der Partnersprache unter besonderer Nutzung der bestehenden 80 Schulpartnerschaften und der vielfältigen kommunalen Partnerschaften;
3. Vertiefung der Kenntnisse über die Partnerregion, insbesondere durch die Teilnahme baden-württembergischer Schüler am Projekt „Französisch 2001“;
4. Treffen französischer und deutscher Unternehmer sowie Technologieexperten im Januar 1988 in Rhône-Alpes zum Thema Biowissenschaften;
5. Zusammenkunft kleiner und mittlerer Unternehmen aus der Region Rhône-Alpes bzw. aus Baden-Württemberg im Februar 1988 in Lyon, um Kooperationen in den Bereichen Laser, Medizintechnik, Telematik, Kunststofftechnologie und die industrielle und kulturelle Nutzung von Bildplatten zu vereinbaren;
6. Förderung künftiger gegenseitiger Beteiligungen der Wirtschaft an den wichtigsten Messen in den beiden Regionen, beginnend mit der Beteiligung baden-württembergischer Unternehmen an der Messe in Lyon 1988;
7. Praktikantenaustausch zwischen baden-württembergischen Fachhochschulen und Berufsakademien mit entsprechenden Einrichtungen in Rhône-Alpes;
8. Bildung eines Beirats zur Koordinierung der mannigfaltigen Beziehungen im Bereich der Forschung und zum Ausbau der Forschungszusammenarbeit;
9. Vereinbarung über ein Stipendienaus-tauschprogramm für Wissenschaftler und Studenten

10. Bereicherung der bereits engen kulturellen Beziehungen um weitere Austausche in den Bereichen Bildende Künste, Theater, Musik und Ballett (z. B. Gastspiel der Opéra Lyon im Herbst 1988 in Karlsruhe; Gastspiel des Badischen Staatstheaters 1989 in Lyon).

## VII.

Das Land Baden-Württemberg und die Region Rhône-Alpes kommen überein, gemeinsam intensive Kooperationsbeziehungen zu entwickeln.

## APPENDIX B.

## FOUR MOTORS MEMORANDUM

MEMORANDUM

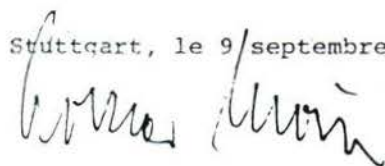
A l'issue de leur réunion en juin 83 à Stuttgart, les Chefs d'Etat et de Gouvernement des pays membres de la Communauté Européenne ont signé une "déclaration solennelle d'union européenne".

Dans la lignée de cet événement important pour l'intégration européenne et soutenus par la volonté commune de participer, également au plan régional, à la réalisation de cet objectif, les Présidents du Land du Bade-Wurtemberg, de la Généralité de Catalogne, de la Région Lombardie et de la Région Rhône-Alpes se sont mis d'accord sur les points suivants:

1. En complément à leurs coopérations bilatérales respectives, les quatre Régions décident de former un groupe de concertation informel, sans caractère institutionnel.
2. Dans le cadre de ce groupe elles poursuivront, en premier lieu, les objectifs suivants:
  - Amélioration des infrastructures entre les régions, en particulier dans le domaine des télécommunications et des communications.
  - Approfondissement de la coopération dans les domaines de la recherche et des technologies.
  - Réalisation du projet commun d'une exposition "Quatre moteurs pour l'Europe".

- Représentation des intérêts communs lors d'actions économiques et scientifiques engagées hors de l'Europe.
  - Coopération pour l'aide au développement.
  - Collaboration plus étroite dans le domaine des arts et de la culture.
3. Au titre de contribution au développement régional de l'Europe, elles examineront la possibilité et les modalités d'une participation commune à des actions en ce domaine en faveur de régions moins favorisées.
  4. Elles restent d'autre part ouvertes à la participation progressive d'autres régions à leur travail de coopération.
  5. Afin de concrétiser les objectifs fixés ci-dessus, les quatre Présidents se retrouveront au minimum une fois par an. La coordination de cette coopération incombe dans l'intervalle à leurs représentants.

Stuttgart, le 9 septembre 1988



Dr. h. c. Lothar Späth  
Ministerpräsident  
des Landes Baden-Württemberg

Dr. Bruno Tabacci  
Presidente della Regione  
Lombardia

Jordi Pujol  
President de la Generalitat  
de Catalunya

Charles Béraudier  
Président de la Région  
Rhône-Alpes

## APPENDIX C.

DECLARATION OF PARTNERSHIP AND MEMORANDUM  
OF UNDERSTANDING ON COOPERATION

MEMORANDUM OF UNDERSTANDING made this twenty-fifth day of June, one thousand nine hundred and ninety,

## BETWEEN:

THE GOVERNMENT OF THE PROVINCE OF ONTARIO, hereinafter referred to as Ontario, as represented by the Premier of Ontario, the Honourable David Peterson,

DAS LAND BADEN-WÜRTTEMBERG, hereinafter referred to as Baden-Württemberg, as represented by the Minister-Präsident des Landes Baden-Württemberg, Dr. h.c. Lothar Späth,

LA RÉGION RHÔNE-ALPES, hereinafter referred to as Rhône-Alpes, as represented by its President, M. Charles Millon,

LA GENERALITAT DE CATALUNYA, hereinafter referred to as Catalunya, as represented by the President de la Generalitat de Catalunya, Molt Honorable Senyor Jordi Pujol,

LA REGIONE LOMBARDIA, hereinafter referred to as Lombardia, as represented by the Presidente della Regione Lombardia, Signor Ing. Giuseppe Giovenzana,

also referred to as "the Parties":

WHEREAS the Parties share common interests in commercial exchange and industrial development, research and the development of new technologies, human resource development through scientific and academic endeavour, environmental improvement and the promotion of cultural endeavour;

WHEREAS the Parties have engaged in collaborative activities in these fields between and among themselves;

**WHEREAS** increased collaboration and joint activities among the Parties is perceived to be an effective way through which businesses and institutions in the respective regions can develop mutually advantageous linkages and strategic alliances in areas of mutual interest and concern;

**WHEREAS** the Parties have similar populations and economic conditions and share numerous cultural and social values and linkages;

**AND**

**WHEREAS** the Parties recognize the importance of cooperation in education and training, business, science, and technology to economic, social and cultural well being, and have actively developed policies and programs to support these goals;

**AND**

**WHEREAS** the Parties wish to strengthen relations and to advance cooperation in the fields of technology development and transfer, industrial cooperation, human resource development, culture, and environmental improvement;

**THEREFORE**, the Parties undertake the following:

#### **TECHNOLOGY TRANSFER AND INDUSTRIAL COOPERATION**

The Parties will encourage the transfer of technology between and among enterprises and institutions in each others jurisdictions, will assist each other's efforts in this regard, and will, particularly, provide each other with information pertaining to the opportunities for industrial cooperation and technology transfer.

The Parties will develop mechanisms to facilitate the exchange of information among themselves pertaining to such opportunities and undertake to develop information bases of firms with international capabilities and interests in their jurisdictions and to explore the possibility of exchanging such information using current information technologies to facilitate this activity.

The Parties undertake, following the coming into force of this Declaration of Partnership, to sponsor joint technology transfer missions on a regular basis in order to promote the technology strengths of each jurisdiction.

The Parties will, in accordance with this Declaration of Partnership, promote technology transfer programs and programs in support of industrial collaboration among enterprises, in and among their regions, by promoting linkages between governmental agencies, industrial associations and regional banks mandated to deliver such programs on behalf of small and medium-size enterprises.

#### **ENVIRONMENTAL COOPERATION**

The Parties undertake to work towards the expeditious conclusion of an Interregional Charter on the Environment.

The Parties will share with each other information on environmental issues, significant environmental research, monitoring, socio-economic impacts, and on the regulatory and policy elements of their respective programs.

The Parties will endeavour to develop other forms of collaboration as appropriate, and in particular in the following priority areas:

1. Environmental management
2. Joint research and the promotion of partnerships in the development and application of clean technology
3. Environmental training and education

The Parties undertake, in the context of the Interregional Environment Charter, to develop a work program to carry out activities in these areas, including joint seminars, joint research and development projects on environmental techniques and technologies, and will explore the potential for exchanges of scientific, policy, and regulatory personnel among their respective jurisdictions.

#### **COOPERATION IN ADVANCED EDUCATION AND TRAINING**

The Parties acknowledge the importance of post-secondary education and training to the development of human resources and have identified this as a priority area for further cooperation among their jurisdictions.

The Parties will foster closer educational links, promote exchanges, encourage the flow of knowledge and skills, enrich human resources development, and facilitate the establishment of academic and research networks.

The Parties undertake in particular to:

1. initiate, facilitate and promote linkages among post-secondary education and training institutions and among institutions and private enterprises in the five jurisdictions through a series of bilateral arrangements;
2. encourage post-secondary education and technical and vocational training institutions to develop collaborative activities, including, but not limited to, faculty and student exchanges, joint research projects, international training placements, seminars and conferences, and institutional networking;
3. foster an environment conducive to the establishment and maintenance of productive linkages and other collaborative activities among the post-secondary education and training institutions and among the institutions and private enterprises of the five jurisdictions.

#### CULTURAL COLLABORATION

The Parties undertake to promote the development of closer cultural linkages by initiating, facilitating and fostering activities and programs of cultural exchange and cooperation between and among themselves.

The Parties will promote the concept of co-production and the cooperative creation of new cultural products utilizing the cultural resources of each region, as means of stimulating exchange to the mutual benefit of the participating parties.

As an initial and ongoing expression of the Parties' commitment to closer cultural cooperation and exchange, the Parties will:

exchange delegations;

mount a joint exhibition every two or three years of the contemporary art created in each region, the first exhibition to open in 1992 in Baden-Wurttemberg and to subsequently tour to each of the remaining four jurisdictions;

mount cultural meetings or conferences, the first to be held in Lyon in the spring of 1991 and the second in Toronto in late 1991 or early 1992 with a possible focus on high technology and culture.

#### COOPERATION IN COMMUNICATION

The Parties note the importance of developing effective, modern communications linkages among their five jurisdictions to ensure that distance does not prove a barrier to continued good cooperation. To that end, collaboration in the development of advanced telecommunications technologies will enhance the economic, social and cultural activities of the five jurisdictions.

The Parties will establish a working group, with up to two technical experts from each participating jurisdiction, under the chair of a representative to be appointed, with the agreement of all participating Parties, from the Province of Ontario, to develop a proposal for the realization of a three year pilot project in user-based multi-media communications technologies designed to facilitate collaboration among participants engaged in joint development projects.

#### MECHANISM

The Parties will meet at least annually in one of their respective jurisdictions to evaluate the progress and guide the strategic focus of the partnership.

The Parties will each name a senior official to oversee the implementation and management of the partnership and to advise, as appropriate, on additional cooperative activities that might be undertaken in the future. In addition, significant collaborative projects undertaken under this Memorandum of Understanding will have their own mechanisms for implementation and management and for reporting to the leaders of their respective regions.

The Parties undertake to communicate with their respective national governments where appropriate.

#### AMENDMENT

This Memorandum of Understanding may be amended by agreement of the Parties, confirmed by exchange of letters among them.

#### LANGUAGE

This Memorandum of Understanding is concluded in English, French, German, Italian and Catalan, and is equally valid in all five languages.

EFFECTIVE DATE

This Memorandum of Understanding will come into effect upon execution thereof.

SIGNED at the City of Toronto, in the Province of Ontario, Canada, this twenty-fifth day of June, 1990.

THE PROVINCE OF ONTARIO



David Peterson  
Premier

LA GENERALITAT DE  
CATALUNYA



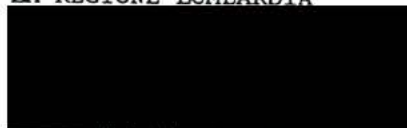
Jordi Pujol  
President

LA RÉGION  
RHÔNE-ALPES



Charles Millon  
Président

LA REGIONE LOMBARDIA



X Giuseppe Giovanzana  
Presidente



DAS LAND BADEN-WÜRTTEMBERG



Lothar Späth  
Minister-Präsident

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