Redebeitrag von Josha Frey MdL

Seminar "Frontières résilientes et échelles urbaines"

Programmpunkt: « CONFERENCE : DES POLITIQUES A L'EPREUVE DE LA RESILIENCE »

06.10.2023, 11:20-12:20

The issue of cross-border flows is one that has occupied me for many years.

I have been living in the german-french-swiss border triangle for over 40 years. In my region, the national borders blur in everyday life. In my professional and private life, I constantly move between Germany, Switzerland and France. For 24 years, I was a cross-border commuter in Switzerland and worked as a German in Switzerland with German and French authorities. It quickly became clear to me what challenges borders pose, but also what opportunities lie in cooperation and rapprochement.

The national sub-regions on the Upper Rhine are functionally closely interconnected. This applies to the labour markets, but also to the housing sector, public services, cultural and leisure activities. The Upper Rhine counts almost 100,000 professional cross-border commuters, and this reflects only a fraction of the daily border crossings in this common living space.

There are many urban border areas where hundreds of thousands of border residents live. On the Upper Rhine, for example, these are the Strasbourg/Kehl area or the border triangle near Basel/Mulhouse/Freiburg.

There, the free crossing of the border, which is an achievement of the Schengen Agreement, has become an integral part and a matter of course in everyday life.

Although different legal, administrative or health care systems meet at national borders, European integration in these areas takes place through close and active cross-border cooperation at the regional and local level. This is reflected in a variety of government and governance structures such as the Upper Rhine Conference, the Upper Rhine Council and the Eurodistricts, which in recent decades, with the support of the EU INTERREG programme, have constituted the Trinational Metropolitan Region Upper Rhine, recognised by the nation states, as an area of action.

However, the Covid-crisis turned things upside down for a while and made borders visible again. The crisis also demonstrates how important functioning cross-border cooperation is, especially in crisis situations. What is not in place or built up at the time the crisis occurs, cannot be pulled out of the ground under stress. Resilient politics are relying on structures that must be built up before crises arise.

In this conference, the focus lies on the local, urban level. However, cross-border-cooperation happens at all levels of government.

This became particularly clear to me during my involvement in politics. As a member of the Lörrach district council, I was involved in the work of the Trinational Eurodistrict Basel for 15 years. There, as President of the Environmental Commission, I was directly involved for the first time in cross-border cooperation and became convinced of its added value, for example in local public transport. Thanks to this cross-border cooperation at the regional level, there is today, for example, a tri-national regional railroad, a tri-regional transport ticket and a cross-border streetcar connection from Basel to the neighbouring cities in France and Germany.

When I was elected into the Landtag (State Parliament) in 2011, it was therefore a central concern for me to advocate for European integration at the regional level, using cross-border cooperation as an example. The parliament's European Affairs Committee plays an important role in this. The committee discusses EU projects that are relevant to the state. This increases the visibility of the EU's impact in the state and promotes a European public opinion. For my work, the committee means being able to closely follow developments at the EU level, to assess them from a regional perspective and to keep an eye on measures relevant to cross-border work. The committee's developed practice of also sending opinions on EU legislative acts to the European Commission and the Members of the European Parliament from Baden-Württemberg has led to a better perception of our regional interests and strengths of border regions in Brussels and Strasbourg.

Of course, the Upper Rhine Council, of which I became a member in 2011 and became president of for the first time in 2017, also occupies a central position. The Upper Rhine Council is a French-Swiss-German "Parliament" constituted of about 70 elected representatives from the regional level of all three countries in the border region. When the Upper Rhine Council was created in 1997, it was not foreseeable whether the experiment of a tri-national advisory body as a political mouthpiece for regional cross-border cooperation would succeed. 26 years later, we can say that it has succeeded in showing all governance levels in the European, national and regional context that it is worthwhile to think outside the box and not only marvel at the obstacles of borders, but also to use their synergies. And we have shown that the regional level is an important actor in this respect and an important link between civil society, politics and administration. This was also noticed in the EU institutions in Brussels.

In parallel, my membership in the Congress of Local and Regional Authorities of the Council of Europe from 2016 made it clear to me how valuable local and regional self-government is. The Congress is the institutional representation of the more than 150,000 regional and local authorities of the 47 member states of the Council of Europe.

In 2020, another building block was added to my previous european work when I had the privilege to become an alternate in the European Committee of the Regions. In the committee meeting and plenary sessions, we create the link between Baden-Württemberg and the EU and always bring cross-border perspectives into the discussions.

The key learning from my experiences is that local governments are often better positioned to understand the needs and priorities of their communities, making them crucial actors in cross-border cooperation efforts. Going back to the example from the transport sector: from the perspective of Berlin, Stuttgart, Bern or Paris, the need for cross-border connections in public transportation is not obvious. But in the city of Basel and the neighbouring municipalities of Switzerland, Germany and France, people know that life does not end at the national border.

However, the action of local governments is embedded in a framework of multi-level governance, a system where decision-making authority is shared among different levels of government. Therefore, multi-level governance plays a crucial role in facilitating effective cross-border cooperation at the local level.

At the same time, in light of global challenges, the interplay between resilient politics and multilevel governance has gained increasing significance. Resilience is built on strong and effective governance structures. These structures should be able to make decisions promptly, allocate resources efficiently, and coordinate actions across different levels of government and sectors.

I would like to explore the intricate connection between resilient politics and multilevel governance in the context of cross-border cooperation, highlighting how they reinforce and support each other in the pursuit of sustainable and adaptable governance.

1. How can multilevel governance contribute to resilient politics?

1.1. Enhancing Adaptability through Multilevel Governance

Multilevel governance is fundamentally rooted in the principle of subsidiarity, which means that decisions should be made at the most local level possible, only escalating to higher levels when necessary. This principle fosters adaptability in political systems by decentralizing decision-making power. When local governments have the autonomy to address local issues, they can tailor policies and responses to their specific contexts, making them better equipped to handle crises and shocks. During the COVID-19 pandemic, countries with robust multilevel governance structures were often better prepared to respond. Local authorities could implement measures tailored to their communities, while national governments coordinated broader strategies. This flexibility is key to resilience as it enables swift and context-specific actions.

In turn, issues that can be handled better at a higher scale can be transferred to the higher-decision level. Subsidiarity ensures that each level of government can focus on its areas of expertise, promoting efficiency. As a global governance body, WHO plays a crucial role in coordinating responses to international health crises like pandemics. During the COVID-19 pandemic, WHO provided guidance, disseminated information, and facilitated cooperation among nations to combat the virus's spread, contributing to global public health resilience.

In this sense, multilevel governance provides the groundwork for resilient politics.

1.2. Building Trust and Cooperation

Resilience in politics is not solely about the capacity to bounce back from crises; it is also about building trust and cooperation among various stakeholders. Multilevel governance promotes these attributes by encouraging different levels of government, non-governmental organizations, and the private sector to collaborate. Trust is fostered through regular interactions and cooperation on shared objectives.

In the European Union, the principle of multilevel governance is integral to its functioning. Member states cooperate on various policy areas while respecting subsidiarity. This collaborative approach builds trust among nations and institutions, making the EU more resilient to internal and external challenges.

1.3. Sharing and Pooling Resources

One of the critical aspects of resilient politics is resource allocation and management during crises. Multilevel governance facilitates this by enabling the sharing and pooling of resources across different levels of government. When a crisis strikes, resources, knowledge, and expertise can be mobilized more efficiently, as the responsibilities are distributed among various actors.

This approach prevents bottlenecks and ensures that resources are allocated where they are needed most promptly.

While the EU does not have a centralized healthcare system, it played a significant role in facilitating the acquisition and distribution of vaccines among its member states during the COVID-19 crisis. The EU negotiated and purchased vaccines on behalf of all member states. By pooling their resources and leveraging their collective purchasing power, the EU was able to secure vaccine doses at competitive prices. This helped prevent a situation where larger, wealthier countries could monopolize vaccine supplies, leaving smaller or less affluent nations at a disadvantage.

1.4. Responsive Policy Innovation

1.5. Resilient politics requires innovative policies that can address evolving challenges. Multilevel governance provides a fertile ground for policy experimentation and innovation. Local governments often serve as laboratories where new approaches can be tested and refined before being scaled up to the national or international level. For example, cross-border tickets have been tested at regional level for more than ten years. For example, the triregio ticket around Basel. Based on this, the INTERREG project REGIOTARIF was developed on a supraregional level. In this project, the Région Grand-Est in France and the German states of Saarland, Rhineland-Palatinate and Baden-Württemberg have been investigating since 2020 how a cross-regional, cross-border ticket system could function. The aim is to create an attractive and customer-friendly fare system for seven French-German rail lines. Providing the legal framework for tailor-made solution at the local level

The EU can provide a legal framework that empowers local governments to design and implement tailor-made solutions for cross-border cooperation. This approach recognizes the diversity of challenges and opportunities faced by border regions and ensures that solutions are responsive to their unique circumstances.

A European cross-border mechanism would streamline and simplify cross-border cooperation at the local level by providing a standardized framework, funding, and support for local governments and stakeholders across different European countries. This mechanism would offer clear guidelines, reduce bureaucratic hurdles, and facilitate information sharing, making it easier for local communities to collaborate on common challenges and opportunities, ultimately promoting more effective cross-border cooperation.

In this context, the proposal for a "European Cross-Border Mechanism" launched by the EU in 2018 deserves special mention. The aim of the regulation was to offer a mechanism for border areas that allows the legal requirements of one of the member states to be applied to the area of the neighbouring country if the application of the legislation of both countries would constitute a legal obstacle to the implementation of a joint project. Unfortunately, this mechanism has been blocked in a first round of negotiations by some member states, because they fear a loss of competence. A new regulatory proposition is still pending.

Matters of cross-border cooperation unfortunately are often slowed down by discussions about the supposedly unevenly distributed financial benefits of cross-border measures between the parties. This is often too short-sighted and overlooks other, less clearly quantifiable benefits of these measures. Rather, what matters is what serves the common good in the border regions on both sides of the national borders equally. This must be the decisive criterion, instead of national nitpicking.

In summary, each level of governance has a distinct role in contributing to resilience. Local governance focuses on immediate response and community-based initiatives, while regional,

national, and supranational governance levels provide resources, coordination, and policies to enhance resilience at broader scales. Global governance bodies foster international cooperation and provide guidance on global challenges, ultimately contributing to the resilience of the international community.

2. What does it take for a good-functioning multilevel governance?

For multilevel governance to function effectively, the various levels of government must establish clear lines of communication, cooperation, and coordination. As already mentioned previously, one core principle of a good multilevel governance is subsidiarity. Aside the principle of subsidiarity, which I mentioned before, there are also further key elements of successful interaction. This is also important in the context of cross-border cooperation and in crises.

2.1. Intergovernmental Coordination: To facilitate interaction, intergovernmental forums and formal mechanisms for coordination and cooperation are essential. This can include regular meetings, joint committees, and shared databases.

These platforms provide a space for dialogue, cooperation, and conflict resolution among government levels. Regular meetings, conferences, and collaborative working groups allow representatives from different levels to exchange information, share best practices, and align policies.

In 2019, a new french-german committee for cross-border cooperation (Ausschuss für grenzüberschreitende Zusammenarbeit) has been created. The aim of the AGZ is to create an increased decision-making capacity for cross-border cooperation by involving all actors concerned across all federal and administrative levels on both sides of the border. Even during the COVID-crisis, the committee has met several times to coordinate action on both sides.

- **2.2. Clear Division of Responsibilities**: Define and communicate the roles and responsibilities of each level of government clearly. This reduces overlap and avoids confusion. A well-drafted constitution or legal framework can be instrumental in delineating these responsibilities.
- **2.3. Information Sharing and Transparency**: Promote transparency by sharing information on policies, programs, and budgets. Transparency builds trust among levels of government and allows for informed decision-making. Open data platforms and regular reporting mechanisms can facilitate this.
- **2.4. Coordinated Policy-Making and Implementation**: Align policies across different levels of government to ensure consistency and coherence in governance. This is especially important in areas such as environmental protection, where actions at one level can affect outcomes at other levels.

This is also very important when it comes to cross-border cooperation. Obstacles to cross-border cooperation can be avoided if the consequences for border areas are identified and taken into account when preparing new laws. This includes carrying out a systematically Cross-Border Territorial Impact Assessment.

2.5. Consultation and Stakeholder Engagement: Involve stakeholders, including civil society, in the decision-making process. This helps ensure that policies and programs are responsive to the needs and preferences of the population.

In October 2020, in the middle of the crisis - a digital citizens' dialogue was launched to analyse the impact of the Corona pandemic on the common border region of Germany, France and Switzerland. Its main goal was to develop proposals to make the border region more crisis-proof for future exceptional situations.

Last year, the parliament of Baden-Württemberg set up a parliamentary committee of enquiry, which now develops recommendations together with citizens and experts for making the polity more resilient and crisis-proof for the future.

2.6. Capacity Building: Invest in capacity-building programs for lower levels of government to enable them to effectively perform their roles. This includes providing training, technical assistance, and resources.

In Baden Württemberg, a so-called Europapool has been established. For this purpose, state employees are given the opportunity to work for some time at the state representation in Brussels or at the European institutions such as the European Commission, the European Court of Justice or international organisations such as the OECD. Through this, they acquire meaningful competences necessary for the state's European capacity. They also establish important networks. In this way, they carry the regional reality to Brussels, but also carry Europe back into the region.

Since this year, the municipal level has followed and also set up such a pool. To build resilient political systems in an increasingly complex and interconnected world, we need multilevel governance structures and work towards enhancing collaboration and cooperation among different levels of government and stakeholders. The synergy between all level of government offers a promising path toward more sustainable and adaptable governance systems capable of addressing modern challenges.

Ultimately, a successful multilevel governance system balances the autonomy and interdependence of different levels of government. It promotes efficiency, responsiveness, and accountability, leading to better outcomes for citizens. The specific mechanisms and strategies will vary depending on the political and cultural context of each country or region, but these principles provide a solid foundation for effective multilevel governance, which in turn, is the basis for a resilient and successful cross-border cooperation.

As a final remark, I would like to draw attention on one crucial element that goes beyond the scope of my previous analysis, but is central for resilience.

One of the current biggest threat to our cohesion and resilience is disinformation. Democratic states are currently under attack of fake news that are being spread from autocratic and unlawful states. False or distorted information is deliberately used and spread to manipulate public debate and destabilise democracies.

Disinformation poses a significant danger to social cohesion and resilience in societies, as it undermines trust, fosters division, and weakens a society's ability to respond effectively to challenges. The recent elections in Slovakia, like many other instances worldwide, highlight how disinformation can harm these critical aspects of a functioning democracy.

This threat must be taken very seriously, especially regarding the upcoming European elections in 2024.

The question of Europe's resilience is closely linked to the question of how we will manage to defend our democracy from disinformation.

Let's work therefore together on more resilience on all governance levels for our common future.