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URN: <https://nbn-resolving.org/urn:nbn:de:0156-41580432>



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Page 71 to 87

In: Chilla, Tobias; Sielker, Franziska (Eds.) (2022): **Cross-border spatial development in Bavaria – Dynamics in Cooperation – Potentials of Integration**. Hanover. = Arbeitsberichte der ARL 34.

This paper is a translated version of the following publication: Chilla, Tobias; Fráně, Luděk; Sielker, Franziska; Weber, Jürgen (2018): Grenzüberschreitende Regionalentwicklung an der bayerisch-tschechischen Grenze – die Suche nach den ‚richtigen‘ Kooperationsformen. In: Chilla, Tobias; Sielker, Franziska (Hrsg.) (2018): Grenzüberschreitende Raumentwicklung Bayerns – Dynamik in der Kooperation – Potenziale der Verflechtung. Hannover, 72-89. = Arbeitsberichte der ARL 23.

*The original version can be accessed here:*

URN: <https://nbn-resolving.org/urn:nbn:de:0156-4158043>

Typesetting and layout: ProLinguo GmbH

Translation and proofreading: ProLinguo GmbH

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## CROSS-BORDER REGIONAL DEVELOPMENT ON THE BAVARIAN-CZECH BORDER – THE SEARCH FOR THE ‘RIGHT’ FORMS OF COOPERATION

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### Abstract

The political dynamic in the Bavarian-Czech border area is still characterised and challenged by its location along the former Iron Curtain as well as its history of war and displacement. This particular situation has led to a unique pattern of cooperation. In comparison to other border areas it is striking that the middle level – i.e. the level between national and municipal cooperation – was only activated a few years ago. In the last five to ten years new developments have led to cooperation processes ‘catching up’. We take this very interesting situation as a starting point for synoptic reflection. The analytical focus is on the two Euroregions in this space, on the European Region of Danube-Vltava, on the cross-border initiative of the European metropolitan region of Nuremberg, on the so-called development study of the regional development ministries and on the macro-regional strategy of the Danube region. These cooperation spaces and initiatives overlap and can be seen as reflecting *institutional ambiguity*. We developed our argument based on our personal involvement in the above-mentioned cooperation formats and conclude with an outlook concerning desirable future developments.

### Keywords

Cross-border cooperation – integration – governance – institutional ambiguity

## 1 Introduction: An overview of Bavarian-Czech cooperation

When viewed in a Europe-wide context, the development of Bavarian-Czech cooperation is remarkable: there is hardly any other internal EU border where it has taken such a long time to establish cross-border cooperation on all levels as political normality. The formal opening of the Iron Curtain (1989) and the accession of the Czech Republic to the EU (2004) were the biggest formal changes of recent years;

however, policy practice remained complex. The political dynamic in the Bavarian-Czech border area is still characterised and challenged by its location along the former Iron Curtain as well as its history of war and displacement. There is also the peculiarity whereby the Free State of Bavaria – while formally only a federal region – is a very strong political player, but has as a counterpart the centralised Czech Republic with its fairly dependent regions.

This particular situation has led to a uniquely structured pattern of cooperation. Of course, even in this area numerous cooperation formats have been established and proved successful. However, in comparison to other border areas it is striking that the middle level – i.e. the level between national and municipal cooperation – was only activated a few years ago. In the last five to ten years this has developed its own dynamic, such that it is possible to speak of cooperation processes ‘catching up’. We take this as a starting point for synoptic reflection on the situation. The article aims to provide an overview of the various strategic cooperative approaches in the region and then to identify the institutionalisation logic of cross-border cooperation in the Bavarian-Czech multi-level system. In recent years the authors of this article were personally involved in important stages of the cross-border institutionalisation in various constellations. They use the knowledge thus gained as a basis for reflection.

Figure 1 offers a simplified and schematic review of the development of the cooperation relationship. It is immediately clear that a multiplicity of actors cooperate with one another on different levels, whereby different delimitations, focuses and institutional forms come into play.

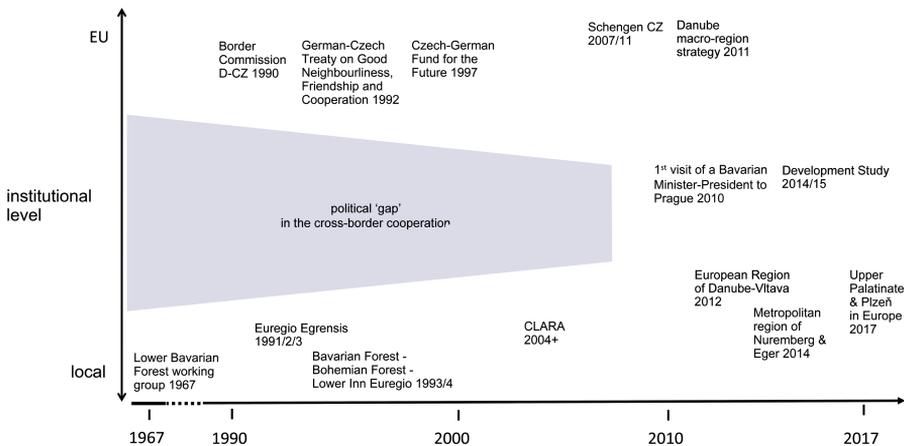


Fig. 1: Selected milestones of Bavarian-Czech cooperation in the multi-level system

Cooperation initiatives on the municipal level began just a few months after the fall of the Iron Curtain and in their continuity and intensity have proved to be the foundation of cross-border cooperation. This was primarily linked to the establishment of the two Euroregions. Both Euroregions are trilateral, as the EUREGIO EGRENSIS involves not only Bavarian and Czech partners but also Thuringia and Saxony, and the

Bavarian Forest – Bohemian Forest – Lower Inn EUREGIO also has Austrian partners. The foundation of this cooperation was laid as early as 1967 when a cooperation was initiated by the Lower Bavarian Forest working group (*Arbeitsgemeinschaft Unterer Bayerischer Wald*). The Euroregions are closely linked to the European level by the funding from the INTERREG-A programme. The focus here is on the development and implementation of concrete projects ranging from the cross-border garden show to bilingual educational institutions to the longstanding CLARA project which closely links the most important stakeholders in the area.<sup>1</sup> The significance of the disposition fund (small project fund) from which the Euroregions can fund small projects themselves should also not be underestimated. The Bavarian Forest – Bohemian Forest – Lower Inn EUREGIO has also run a ‘Europe Direct’ information point for numerous years and is thus part of the information network of the European Commission. In 2014 in the northern part of the border area a process intended to link Cheb to the metropolitan region of Nuremberg was initiated without any formal institutionalisation. The current project to strengthen the partnership between the government regions of Upper Palatinate and Plzeň (regional promotion) is another example of the considerable dynamics seen on the middle level.

At the same time, it is striking that activities on the higher levels started much later. Here a role was played by the German-Czech border commission, which was quickly established after the opening of the border in 1989. The main task of this commission was initially to determine the road and rail border crossings, and then to facilitate border crossings in tourism areas and on hiking trails. Another important task was to establish the precise route of the border. This work resulted in the passing of the law on the agreement of 3 June 1999 between the Federal Republic of Germany and the Czech Republic on the border documentation for the shared national border, dated 25 May 2001. In 1997 the German-Czech Future Fund was created and continues to provide important project funding today. It should also be noted that Euroregions cannot be established without considerable activity on the part of the government and that for INTERREG-A funding the state level is responsible for the deployment of the operational programme, project selection, administration, and monitoring of the proper use of funding.

All this occurred, however, at a time when the Prague–Munich axis was blocked for political reasons – the experiences of annexation and aggressive war on the Czech side and the violent expulsion of the Sudeten Germans largely prevented regular political cooperation. The Bavarian-Czech working group for cross-border cooperation, which was established in 1990, is an exception. Here representatives of the Bavarian and Czech ministries and chambers of commerce, the Euroregions, the districts and several towns and municipalities in the border region come together about every 18 months. Despite the undoubted contribution that this working group has made to cross-border cooperation it remains anchored on the administrative level rather than on the political level.

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1 Cf. <http://www.clara2.eu/> (26 March 2018).

As there have not been any internationally binding agreements between Bavaria and the Czech Republic for many years (as is still the case), since 1989 the key players in cross-border cooperation on the 'state' level have been the 'borderland' governments of Upper Franconia, Upper Palatinate and Lower Bavaria with the Czech districts of Karlovarský kraj, Plzeňský kraj and South Bohemia (Jihočeský kraj). Cooperation is pursued in more informal ways. In the area of rescue services and police work, daily business functions well. Until 2011 there was trilateral cooperation between the governments of Upper Palatinate, Lower Bavaria and Plzeňský kraj in the central section of the border; today the contacts are bilateral. Also worthy of note is the Bavarian-Bohemian Centre (*Centrum Bavaria Bohemia, CeBB*), which was founded in 2004 to promote cultural relations across the whole Bavarian-Czech border area. It was institutionalised as an association with its headquarters in Schönsee and continues today to be an important 'cultural hub' for the entire border area.

Furthermore, especially in the 1990s there was a mismatch between Bavaria and the Czech Republic on this level as the districts in the Czech Republic only emerged in their present form (with independent administrative functions) in 2000 and a certain period of time elapsed before they were established as an independent level. This is also the main reason why a degree of formal consolidation of regional cooperation in the Bavarian-Czech border region only developed later, e.g. cooperation between the Plzeň region and Upper Palatinate and Lower Bavaria in the joint Plzeň Declaration of 9 November 2001.

The normalisation of Bavarian-Czech relations only began in about 2010, involving a series of ministries in the governments in Munich and Prague. This process started with the first state visit of a Bavarian Minister-President to Prague, followed by the next major step: the opening of the Representative Office of the Free State of Bavaria in Prague (2014). This normalisation was implemented by an expert report on the development of the Bavarian-Czech interactional area (Grontmij 2015), which investigated the development potentials of the districts on both sides of the border. The findings of the report are now being applied in the form of projects. On the Bavarian side the process is being coordinated by the Bavarian State Ministry of Finance and Regional Identity (*Staatsministerium der Finanzen, für Landesentwicklung und Heimat*) with the involvement of numerous other departments such as the State Ministry of Education and Cultural Affairs (*Staatsministerium für Unterricht und Kultus*) (for details cf. Bavarian State Parliament [*Bayerischer Landtag*] 2016). At present a series of cooperation agreements are being developed on the level of the ministries, further addressing the 'cooperation gap' on the middle level. On the Czech side the process is anchored in the Ministry for Regional Development and also involves the Czech districts.

In addition, recent years have seen an intensive process of cooperation between the local level and 'capital level' in which districts on both sides of the border play an important role. The establishment of the European Region of Danube-Vltava is particularly noteworthy here. It has established cooperation on the district level in a very rural context. After preliminary consideration from 2009, this European Region was founded in 2012 following the model of the International Lake Constance Conference. The region could build on the experiences of cooperation between the 'borderland

governments’ and the intensive cooperation on the Regensburg–Plzeň axis that is related to the chambers of commerce and the promotion of tourism. Furthermore, the involvement of the Austrian side positioned the cooperation in a larger context. The European Region of Danube-Vltava originally envisioned a European Grouping of Territorial Cooperation (EGTC) but this has at least temporarily been shelved owing to the institutional complexity of the undertaking and also to political concerns related to the legal entity of such a format. From the Czech perspective the establishment of the European Region of Danube-Vltava and the development of cooperation on the district level can also be seen as an expression of the successful establishment of the relatively new Czech districts as actors in cross-border cooperation.

Over the years the European level has undoubtedly proved to be an important superstructure. This is particularly true in view of the Schengen agreement that came into force for the Czech Republic in 2007 (and then fully in 2011). The greater ease of crossing the border has also recently led to increased cross-border commuting. In addition, the symbolic significance of this step is enormous. For the sake of completeness the macro-regional strategy on the Danube should be mentioned; both Bavaria and the Czech Republic with their territories are members of this (cf. Sielker 2014). This strategy has not played a very visible or tangible role in policy practice to date but offers a potential platform on a large-scale level.

It can be seen that cooperation first developed most intensively on the small-scale municipal level. The ‘bottom-up’ dynamics can also be explained by reference to the EU level (establishment of the Euroregions, available project funding, etc.). In contrast, cooperation developed rather late on the middle level, which was burdened by the events of the past (the level of Munich and Prague) as well as the slow development of regional structures on the Czech side of the border (regional district level). This resulted in the ‘policy gaps’ in cross-border cooperation shown in Figure 1. The step-by-step filling of this gap in recent years is thus an expression of the improved, normalised relations between Munich and Prague, and also reflects the establishment of the district level on the Czech side of the border.

## 2 Research question

The structures of cooperation on the Bavarian-Czech border can be interpreted as a manifestation of *institutional ambiguity* in the sense of Hajer (2006) (for more detail cf. the article by Chilla/Sielker in this volume). A successive and cautiously exploratory advance in the cooperative relations can be seen, which may involve drawing on European formats, especially the INTERREG-A funds and the Schengen regulations, but in the end sees the regional level as responsible for finding suitable solutions. Cross-border cooperation is a *sui generis challenge here*. Cooperation is developed and tested on different levels with different stakeholder constellations and in varying spatial constellations. To date no fixed spatial relations with stable instruments have been able to emerge in the territorial complexity that characterises the Bavarian-Czech cooperation area. Instead we see *soft spaces* that are largely not institutionalised and often have *fuzzy boundaries* that tend to be provisional and changeable (cf. Allmendinger/Chilla/Sielker 2014). A cautiously exploratory institutionalisation of this

sort follows the European trend, although recent discussion has focused particularly on how such open and flexible spaces can be combined with political effectiveness (Paasi/Zimmerbauer 2016). Consideration should be given here not only to the spatial area but also to the institutional architecture – territories and responsibilities are not always identical (Hooghe/Marks 2003).

Based on a comparative analysis of the currently relevant forms of cooperation, our article aims to answer the following questions:

- > What logics of institutionalisation can be identified in the complex multi-level nexus of cross-border cooperation?
- > What kind of dynamics can be recognised?
- > Can recommendations for the development of cooperation be drawn from this?

Empirically speaking, the article is based on various instances of personal involvement by the authors in the approaches to cooperation and on the evaluation of internal and public documents. These findings are brought together using *institutional mappings*, which allow the most important characteristics of the current situation and the various actor settings to be amalgamated (cf. Chilla/Evrard/Schulz 2012) – Figure 1 also fulfils this function.

In the past, different approaches to cooperation have proved to be politically influential. From a present-day perspective the following approaches are especially relevant (the list progresses from smallest to largest in area):

- > The Euroregions EGRENSIS and Bavarian Forest – Bohemian Forest – Lower Inn, which significantly overlap with the INTERREG-A programme areas;
- > The European metropolitan region of Nuremberg which has been working to intensify and formalise cooperation with Czech partners since 2013 (cf. Chilla/Weidinger 2014);
- > The European Region of Danube-Vltava, which primarily covers the non-metropolitan areas in the southern half of the border area in the form of an international working group;
- > The initiative by the Bavarian and Czech Ministries for Regional Development, which was agreed in 2013 and is included in the Bavarian homeland plan under the term ‘development study’ (*Entwicklungsgutachten*) (cf. Grontmij 2015);
- > The Danube macro-region, which represents a larger political context for thematic cooperation, should be considered as a European backdrop although it has not yet been particularly effective for cross-border cooperation.

### 3 The ‘mapping’ of cooperation areas as an empirical argument

#### 3.1 The search for the ‘right’ delimitations (reterritorialisation)

The current situation in Bavaria is generally complex. The perimeters of the cooperation areas overlap one another and are not congruent (cf. Fig. 2). In some cases they compete politically, in other cases they can be seen as complementary. In terms of the individual forms of cooperation the following can be stated:

In the case of the **Euroregions** it is comparatively simple to pinpoint the territory because the provisions for funding within the cross-border INTERREG-A programme suggest the first two ‘rows’ of districts. This should be seen in light of the fact that voluntary commitment and active involvement were decisive criteria for this municipally-based format. In the case of the **European Region of Danube-Vltava** the search for a spatial delimitation was significantly more difficult and ended with an unusually large territory which included seven regional units (the state of Upper Austria, the Lower Austrian areas of Mostviertel and Waldviertel, the districts of Lower Bavaria and Upper Palatinate and the Czech regions of Plzeň, South Bohemia and Vysočina). The Euroregion thus covers a total area of about 65,000 km<sup>2</sup>, almost the equivalent of the whole of Bavaria. About six million people live in this area. The spatial structure of the Euroregion was the subject of intense discussion during the preparation phase. One idea was to spatially extend the planned European region even further, but there were opposing voices that criticised the planned form of the Euroregion as too large and heterogeneous. It was suggested that the European Region of Danube-Vltava should only cover the regions of Lower Bavaria, Upper Austria and South Bohemia, or that it should be structured as a spatial link between the existing Bavarian Forest – Bohemian Forest – Lower Inn and Silva Nortica Euroregions (Austria/Czech Republic). During the preparation phase, however, work was undertaken with the current composition of the region, although the Vysočina region had observer status at the beginning of the process. Since its establishment the European Region of Danube-Vltava has had a stable structure composed of the seven regions, and presents itself as a rural area surrounded by four metropolitan regions (Prague, Munich, Vienna and Nuremberg).

In the **European metropolitan region of Nuremberg** these processes are still underway. The search for a suitable delimitation is far from trivial because there is no institutional equivalent on the other side of the border – the European metropolitan regions on the German side with their large-scale and municipally defined territories are unique constructions. Cooperation initiatives are undertaken primarily with the district of Karlovy Vary and the city of Cheb. The district Plzeň with its urban structure already has strong ties to the European Region of Danube-Vltava and the Munich–Regensburg–Plzeň–Prague city axis.

The spatial scope of the Bavarian-Czech **development study** includes the three districts on both sides of the border (Upper Franconia, Upper Palatinate, Lower Bavaria and Karlovy Vary, Plzeň and South Bohemia). Thus for the first time the focus is on the entire border area, although the federal states of Thuringia and Saxony and the Austrian neighbour are not involved. In terms of size it extends beyond the municipally

oriented Euroregions in both Bavaria and the Czech Republic. This territory has not yet been institutionalised, although the practical significance of this focus should not be underestimated (establishment of advisory offices with funding coordinators and network managers). The **Danube macro-region** provides an opportunity to promote large-scale cooperation with a total of 14 federal states. One example of this is cooperation on transport and the development of the transnational network. The macro-region allows cross-border linkages to be seen in a larger context. The Danube Transnational Programme (formerly INTERREG B) for European territorial cooperation also provides financial support for projects.

The overall picture (cf. Fig. 2) is thus one of overlapping *soft spaces*, where institutionalisation (*hardening*) does not play a great role. The establishment of a European Grouping of Territorial Cooperation (EGTC), which could give cross-border cooperation an independent legal entity, has often been the subject of discussion, especially for the European Region of Danube-Vltava, but no concrete implementation is in sight. At the same time overlapping structures of cooperation can be discerned that have rather formed open, themed platforms of cooperation.

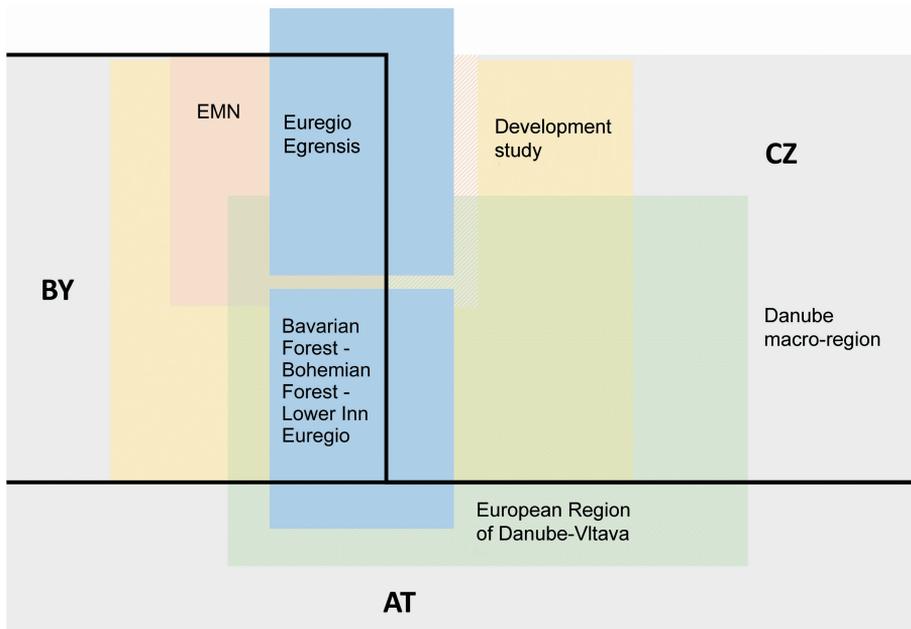


Fig. 2: 'Reterritorialisation' and cooperation density in the Bavarian-Czech border area: schematic representation of the non-congruent delimitations

### 3.2 The search for the ‘right’ form of cooperation (rescaling)

As soon as a form of cooperation is politically institutionalised it is linked to certain levels, although the spatial and institutional relations need not necessarily correspond to one another.

Even within one state the process of allocating resources and mandates to specific levels (municipalities, districts, etc.) is naturally an – often conflict-laden – negotiation process. In border regions this is further complicated by the fact that there are no real parallels in the levels of organisation in the different countries. The competences, sizes, resources and organisational forms differ between the systems on all levels. This is also true on the Bavarian level, as mentioned above. This can be illustrated by looking at each of the forms of cooperation:

The original composition of the **Euroregions** was comparatively unproblematic, as the focus was on municipal cooperation in the immediate border area. Remarkable here is the extremely low degree of institutionalisation, which is based on three sub-regional associations cooperating in an ‘intergovernmental’ fashion with no common structure in a formal sense. A ‘harder’ form of institutionalisation was unimaginable at the beginning of the 1990s and has not proved possible since. This means that there are steering committees, headquarters and similar structures on all sides of the border. The establishment of a European Grouping of Territorial Cooperation (EGTC) would be possible but is blocked by political concerns on the level of the federal state in Bavaria, and in Austria and the Czech Republic. It should also be noted that the cultural challenge of declining bilingualism can also act as a barrier to a *hardening* of institutions.

In the **European Region of Danube-Vltava** the trilateral working group is institutionalised with a number of bodies on the district level. It is managed politically by the steering committee and operationally by the trilateral coordination body. Also of importance are the joint headquarters in Linz (in addition to the regional contacts) and the great significance of the knowledge platforms, which are organised according to thematic focus rather than territorially. There is therefore a considerably higher degree of institutional integration, indeed the highest degree of formal integration in the entire border area. It remains to be seen whether current efforts to develop further cooperation in a European Grouping of Territorial Cooperation will be successful.

The cross-border ambitions of the **European metropolitan region of Nuremberg** have not found an equivalent cooperation partner on the Czech side of the border. There is no metropolitan region as such, and the competences of the Kraje or regions are not equivalent to those of metropolitan regions in the German context. Districts on the Czech side are on the level below Prague, while in contrast the European metropolitan region of Nuremberg has a municipal-regional composition. Closer cooperation with Karlovy Vary is developing, while cooperation with the district of Plzeň would also be appropriate in spatial and functional terms, but the policy focus of Plzeň has to date been rather further south. The institutional logic of the European

metropolitan region of Nuremberg has thus far been based primarily on the Bavarian districts, and thus on the municipal level. Fundamentally, closer ties to sub-areas like Cheb are also conceivable. The case of the European metropolitan region of Nuremberg is thus a case of *multi-level mismatch*. On the two sides of the border there are no formally identical equivalents, which leads to practical and diplomatic complications in the institutionalisation process.

The process for the **development study** was pursued on the Munich–Prague axis, although the subordinate district levels were intensely involved. The municipal level was only represented by the Euroregions. Ultimately, what is occurring here is the introduction of a quasi new level, and thus a rescaling, the long-term significance of which cannot yet be determined. It should be noted that it is not only the vertical dimension which is of importance. Horizontal links are also involved in delicate processes (e.g. coordination within Bavaria) and sectoral coordination between the Bavarian State Ministry of Finance and Regional Identity and other departments.

The **Danube macro-region** represents a new area which was developed particularly in response to the idea of promoting shipping on the Danube. The connecting transport corridors are also important here. The limited significance for the immediate border area is partly explained by the fact that the border between Bavaria and the Czech Republic runs for a long stretch along the European watershed.

The many years of observation of the situation by the authors of this article make it possible to determine the following characteristics of the cooperation:

Particularly in light of the cautious, exploratory nature of political-institutional advances, the engagement of individuals is of great importance. In situations where it is unclear what long-term added value can be created by cross-border cooperation and which instruments can be used to achieve it, the powers of persuasion, networks and ‘willingness to invest’ on the part of individuals is crucial. In practice these individuals are the mayors, heads of district councils and administrations, and business leaders.

The advantage of such an individual-centred approach is that the growth of trust and determined pursuit of goals leads to new developments that are difficult to imagine in strongly formalised structures. One example of this is the creativity of project development on the Euroregion level. The trust referred to here is related not only to cross-border relations but also to relations across levels.

The exceptional significance of individual engagement causes particular challenges when there are changes in personnel. It often takes some time for new actors to comprehend the complexity of cross-border cooperation, and often changes in political priorities also play a role. This is true on both sides of the border, but changes occur more often on the Czech side – both in the political and in the administrative arena. The frequent political changes, accompanied by fluctuations in spheres of responsibility, are an aggravating factor that complicates the development of contacts and can lead to discontinuities in long-term joint projects (Eberle 2014).

Despite the diversity of the forms of cooperation, institutional overlaps and interactions can be observed among all the initiatives considered. This is true of both operational personnel and of federal state resources. Especially on the Bavarian side, the individual forms of cooperation (e.g. the Euroregions, the European Region of Danube-Vltava and the development study) are very closely interlinked, for instance the advisory offices that were set up as a result of the development study are established either in the Euroregions or in the district administrations, i.e. with the actors that also have a lot to do with the European Region of Danube-Vltava.

### 3.3 Focal points and instruments: soft rather than hard

All forms of cross-border cooperation in the Bavarian-Czech border area can ultimately be categorised as soft instruments. All the hard, legal instruments and all the original budgets are organised within the states. The ‘art’ of the cooperation is thus to make progress by using the limited resources and instruments available as efficiently as possible. In practice this primarily involves a strong project focus, the formulation of strategies and the development of effective publicity and communication measures. This aspect can also be illustrated by examples:

- > **Project focus:** Implementing projects that run for a limited period of time is particularly relevant for two reasons. Firstly, financial resources can be accessed which are otherwise difficult to mobilise from the regular budget. Secondly, new cross-border themes can be addressed without being rigidly anchored in the state agenda. This is particularly important in the case of the Euroregions. This is true for both the small project fund, which can be used fairly autonomously by the Euregio headquarters, and for larger flagship projects. Cross-border cooperation in the three-state triangle area of the EUREGIO EGRENSIS gained impetus through the trilateral project CLARA@eu, which ran from 2004 to 2013 and involved the government of Upper Franconia (lead), the regional presidium of Karlovy Vary, the regional government of Chemnitz and the EUREGIO EGRENSIS, the cities Karlovy Vary and Bayreuth, and the Vogtland district as partners. A new generation of CLARA cooperation is now beginning. The CLARA projects aim to improve administrative cooperation, especially in the fields of civil defence, tourism, spatial planning, the environment and transport.
- > Formulation of **strategic goals and strategies:** Examples of the formulation of strategies and goals include the planned strategy and measures of the European Region of Danube-Vltava or the master plan drawn up as part of the transport knowledge platform and, more recently, the complete development study for the border area. These strategies are non-binding, but they can facilitate the mobilisation of resources on other levels and put topics and goals on the political agenda. The effectiveness of such strategies is not guaranteed. Although many of the objectives of the development study have been financially supported on the Bavarian side, the implementation of the transport policy goals is arduous. The hard instruments, particularly of the superordinate internal state institutions (e.g. the Federal Transport Infrastructure Plan), are not easy to influence. Furthermore, it has not yet been possible to link existing strategies to create a

comprehensive overall view. The knowledge platforms of the European Region of Danube-Vltava lie on the interface between the strategic formulation of objectives and project development. Their ambiguous position in terms of funding options is a clear difference to the Euroregions.

- > **Effective publicity and communication measures:** In the early phase of political establishment it is crucial to highlight the relevance of the new institutions through media perceptions. The EUREGIO EGRENSIS gained considerable impetus through the cross-border federal state garden show (*Landesgartenschau*) held between Cheb and Marktredwitz. The 'Map of Competences' and the university guide are important products for the European Region of Danube-Vltava. Communication is the responsibility of the joint headquarters and the regional contact points of this region. The most striking results of the cross-border ambitions of the European metropolitan region of Nuremberg thus far are the Bavarian-Czech exhibition of 2016/17 on 'Charles IV Prague/Nuremberg', which was shown in Prague and Nuremberg with a supporting programme along the 'Golden Road'.

The most effective use possible of the soft instruments is a logical consequence of the *institutional ambiguity*. The challenge rather concerns sustainability and efficiency. For a number of the projects this ad hoc momentum and visibility suffices, but most require links to internal state resources. Transport, training and further education policy are pertinent examples. The soft instruments of regional policy are only able to create impulses; a true change of course can only be achieved with binding integration on internal state levels.

#### 4 Conclusions: *soft spaces* or *hard spaces*?

The Bavarian-Czech border area is currently characterised by a multiplicity of forms of cross-border cooperation. In some cases, these forms of cooperation overlap. They can also be found on different levels and display different degrees of institutionalisation. The logic of the institutionalisation is greatly influenced by catch-up integration dynamics following a path which has not been institutionally determined. This is especially true of the middle level of governance.

As discussed, the territories of the current spatial cooperation areas present a certain dilemma. While the European Region of Danube-Vltava with its explicitly non-metropolitan character has large-scale dimensions, the European metropolitan region of Nuremberg is still searching for a stable, cross-border axis in the northern part of the border area. The city of Nuremberg is not included in the development study. Other examples could be cited.

Overall, it must be asked how much openness and overlapping – *soft spaces* – are useful for the Bavarian-Czech border area and how much institutionalisation and consolidation of forms of cooperation and delimitations – *hard spaces* – are necessary.

A glance towards other border areas in Europe, which can look back at a longer period of cross-border cooperation, suggests that in the coming years cooperation will to a certain extent be formalised. The Eurodistricts on the German-French border and the European Groupings of Territorial Cooperation (EGTC) in over 50 border areas of Europe are good examples here. The European Groupings of Territorial Cooperation that involve ‘younger’ EU-25 or EU-28 states and that have existed for several years even prove that a long period of preliminary cross-border work is not necessary. Overall, it can be observed that formalisations of this sort may involve spatial adjustments.

The coexistence of several levels is to be expected and can be unreservedly welcomed. For example, it is hard to imagine the relevance of the Euroregion level for the immediate border area being replicated on another level, while superordinate issues can only be dealt with to a limited extent on this level. The trilateral approach of the European Region of Danube-Vltava is certainly useful, but it does not necessarily facilitate agreement on Bavarian-Czech issues.

Against this background it would make sense to develop a higher level framework for the entirety of Bavarian-Czech cooperation, focusing on this current deficit. The following points are promising for further institutionalisation:

As has been illustrated in various ways, the present **spatial coverage** of the cooperation formats is not ideal. The various overlappings certainly do not facilitate strategically consistent spatial development policy. While the solution is not to search for a *one-size-fits-all* format, adding a perspective that covers the entire area in question would make sense. The territory adopted by the development study seems especially promising. Here there are three districts on each side of the border, possibly supplemented by Nuremberg (cf. Fig. 3). It is somewhat surprising that after the report was completed no regional governance was established (although this was actually discussed in the elaboration process). The main potential here is that it would easily be possible to create links between all the partners that have been active so far. Despite all the differences between them, the heads of the districts on the Czech side and the Bavarian districts could represent a useful level of cooperation. The involvement of the districts on the Czech side also seems a good idea given their growing political competences. On the Bavarian side a focus on the district level would make sense because it would facilitate links with **federal state spatial planning**. The introductory article in this volume (Chilla/Sielker) mentioned the lack of a strategic overview for the whole of the Bavarian border area in Bavarian federal state development policy, even if in the meantime several cross-border central place functions have been stipulated on the Bavarian side (cf. the structural map in the Federal State Development Programme; *StMFLH* [Bavarian State Ministry of Finance and Regional Identity] 2013). If effective guiding principles are to be developed for the border areas, a spatial focus on the districts (with their regional planning associations) is almost unavoidable.

The Czech districts also play an important role in spatial planning, as they represent the second-highest level in spatial planning after the state. On the one hand, they can to a certain extent influence central spatial development policy, which stipulates national priorities for spatial development. On the other hand, they produce their own

spatial planning documentation (principles of spatial development and analytical spatial planning documentation), which central spatial planning then transposes into concrete terms and develops further. These instruments are applied to the entire territory of the districts in question, including the immediate border area.

To date the interlinkages between the various cross-border forms of cooperation have been fairly loose. The actors know each other well and informal exchanges of information work; institutional links are also not uncommon (for example, the involvement of the Bavarian Forest – Bohemian Forest – Lower Inn and Inn-Salzach Euroregions in the European Region of Danube-Vltava; via the Bavarian Ministry of the Economy (*Bayerisches Wirtschaftsministerium*) as the actor responsible for the INTERREG-A programme). The consistently loose connection with the **state government** is especially interesting. The instances of institutionalisation described in this article were all established without the particularly firm involvement of Munich. The Munich ministries certainly support the Euroregions, the steering committees of the European Region of Danube-Vltava and the efforts at cross-border cooperation by the European metropolitan region of Nuremberg, but without Munich being tied in as a primary partner. Such a linkage would however be useful and possible within the framework of the development study. It would be important to avoid such a structure leading to top-down organisation – the regional networks, initiatives and knowledge advantages are too important. Strengthening the role of the Munich–Prague level would be especially useful in terms of creating more sustainable parameters for cooperation. The involvement of the state level would not only allow cross-border issues to be more closely linked with internal state structures, it could also open up new policy areas for cooperation.

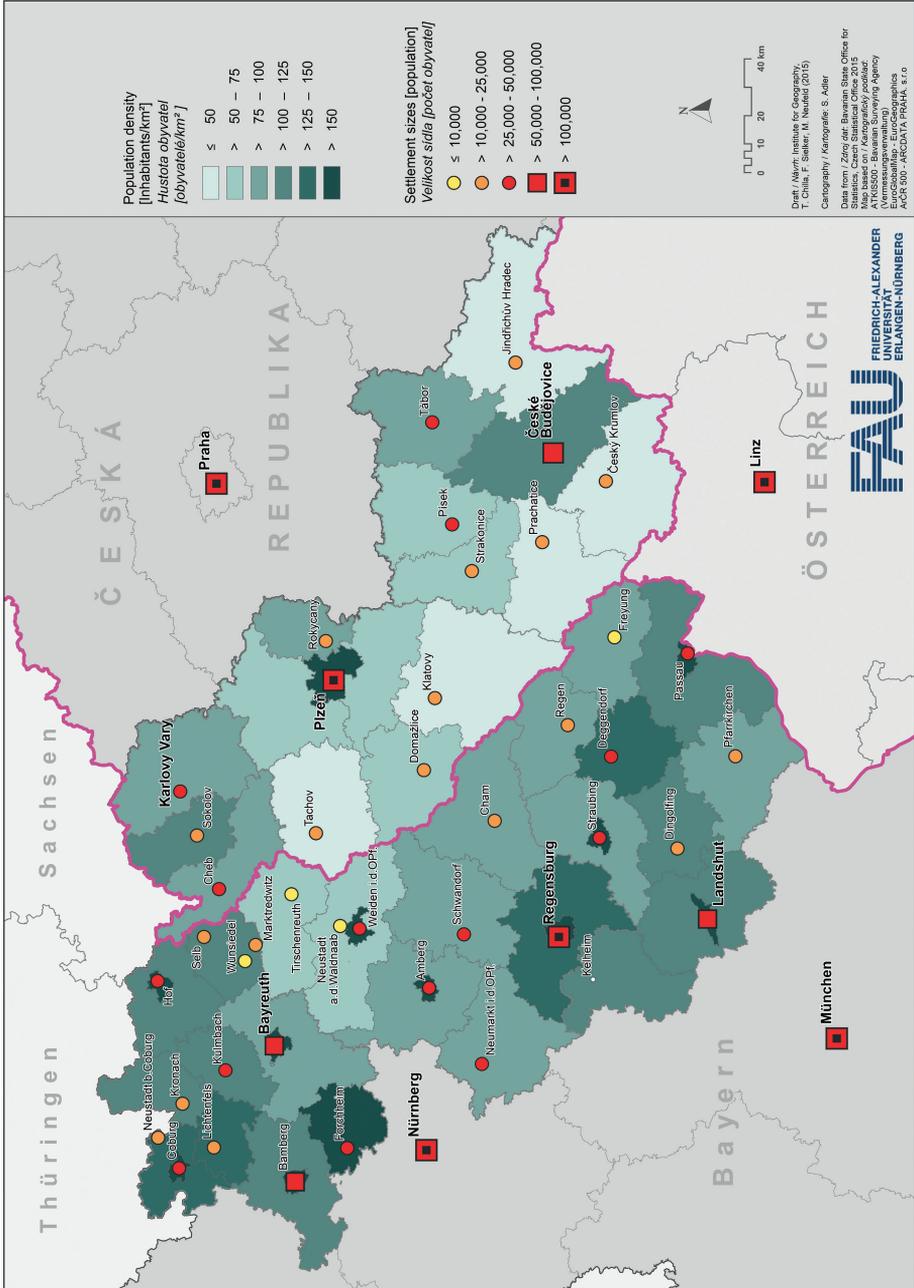


Fig. 3: The spatial focus from the development study /Source: Grontmij (2015: 2)

Links with internal state structures are particularly necessary with regards to **resources and instruments**. So far – as discussed above – cross-border cooperation has primarily been project-based, whereby European funding was most significant. This is also useful as it allows networks to develop as part of everyday business, which

then provide knowledge about the way things function on the other side of the border. However, this form of spatial development has considerable disadvantages. Investment measures are scarcely possible and sustainable effects are difficult to secure. In the medium term it cannot be expected that a large, dedicated budget will be provided exclusively for cross-border development. This makes systematic links with issues administered by internal state departments even more important. Ultimately the aim for cross-border spatial development must be to organise reliable budgets that are linked to clearly formulated mandates that will be addressed via established paths of cooperation.

Generally it can be stated that the 'catch-up' development of cooperation between Bavaria and the Czech Republic has been very dynamic in recent years and can be viewed positively overall. At the same time, it is clear that a complex multiplicity of cooperation formats have developed and that their spatial delimitations are not ideal. The coming years should see progress being made towards clearer structures, particularly with a clear role for the districts and the central governments.

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