



International TEIN Annual Conference

21st Century B/Orders & Civil Society

of

**Viadrina Center B/ORDERS IN MOTION
Institute of Local Government Studies (KWI) at the University of Potsdam
Transfrontier Euro-Institut Network (TEIN)
Borders in Globalization–21st Century Borders (BIG)**

Taking place

**September 7, 2023
European University Viadrina
Gräfin-Dönhoff-Building (GD)
Europaplatz 1, 15230 Frankfurt (Oder)**

The International TEIN Annual Conference **21st Century B/ORDERS and Civil Society** deals with the interplay of the public and civic dimension with new processes of ordering and bordering in the 21st century in Europe and beyond. In this conference, scholars and experts from TEIN, BIG and other scientific networks come together in two thematic panels to discuss the b/ordering effects within cross-border regions as a result of recent global developments like handling of the Corona crisis, the Russian war in Ukraine and recent meta-b/ordering discourses caused by it. In a first panel, the focus of interest lies on the public welfare and the provision of civic services by public authorities in times of crisis and uncertainty. Recent crises have changed the view on the provision of basic services by public authorities and created the need to foster cross-border cooperation between municipalities and with civil society. The second panel discusses the current role of civil society in times disruptive shifting of b/orders in Europe and beyond. The International TEIN Annual Conference is organized by the Transfrontier Euro-Institut Network, Borders in Globalization-21st Century Borders (BIG), the Institute of Local Government Studies (KWI) at the University of Potsdam and the Viadrina Center B/ORDERS IN MOTION.

The TEIN conference is embedded in the main conference “Contesting 21st Century B/orders” organized by the Viadrina Center B/ORDERS IN MOTION at the European University Viadrina in Frankfurt (Oder).



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Panel 1: Translocal Cooperation & Public Welfare (September 7, 2023, 9:30-11:30, room GD 102)

Moderation: Dr. Peter Ulrich (University of Potsdam, Institute of Local Government Studies, Transfrontier Euro-Institut Network)

The **first panel** of the Conference “21st Century B/ORDERS and Civil Society” in the context of the Transfrontier Euro-Institut Network (TEIN) and Borders in Globalization-21st Century Borders (BIG) deals with translocal cooperation and public welfare. The focus of interest lies on the public welfare and the provision of civic services by public authorities in times of crisis and uncertainty. Recent crises have changed the view on the provision of basic services by public authorities and created the need to foster cross-border cooperation between municipalities and with civil society. The main questions in the panel contain the composition of public services in a cross-border manner in times of multiple crises and uncertainty. The first talk will give an insight into public services from a legal perspective while the second presentation will examine to what extent mostly nationally provided public services can be provided across national borders. The cross-border planning aspects of such public service cooperation are discussed in a third presentation. The final presentation focusses on different participatory and cross-border civil society engagement forms in horizontal integration within cross-border regions. The panel “21st B/Orders & Civil Society (part 1): Translocal Cooperation & Public Welfare” contains presentations from members of TEIN and BIG and is organized by the Viadrina Center B/ORDERS IN MOTION at the European University Viadrina in Frankfurt (Oder) in cooperation with the Institute of Local Government Studies of the University of Potsdam.

Presentations:

Municipal cooperation and services of general interest

Prof. Dr. Thorsten Ingo Schmidt (University of Potsdam, Institute of Local Government Studies)

The provision of public services is one of the central tasks of municipalities. The supply of water, gas, district heating, electricity, local public transport and the disposal of wastewater and refuse are of outstanding importance for the inhabitants of a municipality. At the same time, the provision of services of general interest represents a major field of activity for municipal policy. Based on the constitutional guarantee of municipal self-government, this lecture will examine from a legal perspective the possibilities for municipalities to cooperate in the various fields of services of general interest in public and private law forms. Special attention will be paid to the special-purpose association as an independent legal entity of municipal cooperation. In detail, questions of the formation of the cooperation, the participating bodies, the liability, the financing as well as the possible dissolution of the cooperation will be discussed.

Cross-border public services from a legal perspective

Prof. Dr. Michael Frey, Rahel Alia Müller (University of Applied Sciences Kehl)

The contribution will show from an applied legal and administrative science perspective the legal framework for future cross-border public services. Besides a description of today's legal framework, we will also show the impact of administrative cultures and cross-border governance for cross border public services.



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After attempting a coherent definition of cross-border public services, the legal starting point will be the principle of sovereignty in the context of international public law and national constitutional law (Frey/Weigel 2021). It will outline the limits and possibilities for cross-border public services determined by European and national law.

To illustrate, we will show insides of recent and concrete examples of the highly institutionalized multi-level and multi-sector cross border governance in the field of cross-border public service in the Upper-Rhine region. We will emphasize examples in concrete policy fields, which are actually in a post-crisis transformation process towards a future role and form, e.g. cooperation in cross border public health services (TRISAN) but also in the institutional framework of cross border cooperation in the upper-rhine valley (further development of the INFOBEST-Network).

With a perspective on the future it will illustrate interdisciplinary ways in legal and administrative sciences on how to overcome the legal dimensions of borders in the field of cross border public services. With regard to administrative manners to overcome borders and difficulties in cross-border cooperation, we will reflect on the question, whether a stronger institutionalization could serve to develop cross border institutions possessing a wider capacity to act. Even in crisis situations such as the Corona crisis, a backdrop created by inter alia expressions of the organizational path-dependency could be avoided.

The focus of the presentation will be to present these elements in a way that opens especially the legal sphere for experts coming from other scientific disciplines in order to point out complementarities.

Cross-border public services from a planning perspective

Prof. Dr. Karina Pallagst (University of Kaiserslautern-Landau)

Cross-border governance and democratic challenges

Martin Unfried (Maastricht University, Institute for Transnational and Euregional cross border cooperation and Mobility - ITEM)

In border regions where cross-border cooperation is already strongly institutionalised with Euregions and other cross-border bodies, there are experiences with obstacles that today cannot be removed. Further European integration and harmonisation does not necessarily help, since in certain important policy sectors like a cross-border labour market, or cross-border infrastructure projects, national legislation is still dominant. Since taxes or social security or permitting processes are deliberately not harmonised in Brussels, national rules today do not match better than years ago. Meaning that it is difficult to really benefit for an integrated labour market or a common public transport infrastructure. Hence, deeper cross-border integration needs different instruments than in the past. That could for instance mean that cross-border entities could get certain competences that are today entirely national. Or, that certain legal innovative instruments would make it possible to deviate from national legislation for instance in the case of bigger infrastructure projects.

The European Commission tried years ago to establish an innovative instrument with the proposal for an European Cross-Border Mechanism. However, the proposed regulation could not be adopted up-to-date due to the resistance of Member States. Innovative instruments or organisations are key, to overcome current obstacles. And at the same time, innovative organisations or legal instruments have to be supported by innovative democratic processes across the border. Here, the questions of cross-border participation processes comes into play. How could innovative governance go hand in hand with innovative citizens participation and democratic cross-border processes?



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Panel 2: Translocal Cooperation & Civil Society (September 7, 2023, 13:00-14:30, room GD 102)

Moderation: Dr. Peter Ulrich (University of Potsdam, Institute of Local Government Studies, Transfrontier Euro-Institut Network)

The **second panel** of the Conference “21st Century B/ORDERS and Civil Society” in the context of the Transfrontier Euro-Institut Network (TEIN) and Borders in Globalization-21st Century Borders (BIG) deals with translocal cooperation and civil society. The panel discusses the current role of civil society in times disruptive shifting of b/orders in Europe and beyond. In the first presentation, the perception of borders of citizens in different border regions in Europe will be presented and compared. The second presentation discusses civil society participation in transborder cooperation in different cross-border regions within the EU. In a final presentation, different forms of civic participation in local administrations both in Germany and France will be presented.

The panel “21st B/Orders & Civil Society (part 2): Translocal Cooperation & Civil Society” contains presentations from members of TEIN and BIG and is organized by the Viadrina Center B/ORDERS IN MOTION at the European University Viadrina in Frankfurt (Oder) in cooperation with the Institute of Local Government Studies of the University of Potsdam.

Presentations:

Mental maps and representations of borders in five EU border regions: a comparative approach

Birte Wassenberg (University of Strasbourg, Science Po)

The article analyses the discussions and mental maps elaborated during the focus groups of cross-border actors, which have been organized between November 2021 and February 2023 in five EU border regions by the Jean Monnet network Frontières en mouvement (FRONTEM). The comparison encompasses the Franco-Belgian, the Franco-German, the Irish-Northern Irish, the German-Danish and the Rumanian-Hungarian borderlands. It appears clearly that perceptions of what is at stakes, what are the benefits and the risks of the border and what the cross-border region should ideally represent, diverge largely from one region to the other. But, furthermore, the imagined geographical representations of the borderland do not necessarily coincide with the reality of administrative and institutional cross-border spaces.

Engaging civil society in cross-border regions in Europe

Anne Thevenet (EuroInstitut)

If citizens' engagement has always been important in order to build up coherent public policies, it has become unavoidable in order to reduce the growing gap between citizens, public institutions and politics.

Especially in cross-border territories, where the freedom of movement has been (severely) restricted during the pandemic, where disillusion about the European integration is too often a fact, citizens want to / need to be involved.

It is about rebuilding trust, rethinking cross-border living spaces and opening new possibilities for citizens and workers.

But how to organise citizens' engagement? How to ensure efficiency?

Many challenges have to be faced like: How to motivate citizens? Who finances? Which format? Which methods? Which topic?



This contribution will try to illustrate these challenges through different experiences I had the chance to be part of at the Franco-German border and especially the TEIN4Citizens project (2019-2021), which consisted in the organization of five forums in different cross-border regions in Europe.

The contribution will then try to identify key factors of success for engaging citizens in cross-border regions.

Digitalisation in municipalities in Germany and in France

Margot Bonnafous (EuroInstitut)

As part of the project "Regional Open Government Labs", the town of Kehl (Germany) and the Haguenau Association of Municipalities (France) have been working together during 18 months on the topic of "Digitalisation in municipalities in Germany and in France". The Kehl Euro-Institut has coordinated the cooperation.

„Regional Open Government Labs » is a federal project within which Kehl University of Applied Sciences for Administration is responsible for one regional lab. Due to the border situation, this lab has been meant to include some cross-border axes. Euro-Institut's project component « Digitalisation in municipalities in Germany and in France" is one of those cross-border axes and aims not only at a comparison between the two towns, referring to their organizational and cultural contexts, but also at the building of capacities.

The following project aims have been identified:

- Achieve more transparency and participation for all social groups by promoting digitalisation in rural areas.
- Improving public services through the creation of more digital service offerings.
- Digitalisation as a location factor for municipalities in rural areas
- Strengthening communication between administration, politics, and citizens through open digital technologies for the purpose of information flow and co-creation.

To achieve these goals, the working group has identified three topics on which the group has worked at three workshops.

1. The « digital employees » of the future - Developing a competence model in cross-border co-production
2. Development of digital competences and the role of digital leadership - Comparison of practices and drafting of a strategy
3. Digitalisation of the administration: what do citizens expect? Draft of a catalogue of measures for the further development of the « digital city hall » for citizens

After a brief reflection on the current state of digitalisation of the administration in Germany and France, the proposed contribution will briefly summarise the results of the three workshops. The focus here will be on the results that can be of use to the two administrations in their respective processes.

Furthermore, the contribution will discuss which factors accelerate or slow down the digitalisation of the administration. The findings of the project regarding staff and leadership, as well as the attitude of the citizens should provide information here.