

## Regional governance and European Structural and Investment Funds at the frontiers of Bavaria

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LEIBNIZ-GEMEINSCHAFT

*Weizenegger, Sabine; Lemberger, Markus:*

## **Regional governance and European Structural and Investment Funds at the frontiers of Bavaria**

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Sabine Weizenegger, Markus Lemberger

## REGIONAL GOVERNANCE AND EUROPEAN STRUCTURAL AND INVESTMENT FUNDS ON THE BAVARIAN BORDER

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### Abstract

This article examines the implementation and effectiveness of the European structural and investment funds with regard to regional governance. The study uses the example of development processes in two border regions in Bavaria, the district of Cham on the Bavarian-Czech border and the district of Oberallgäu on the Bavarian-Austrian border. The focus is on LEADER (the EU programme for rural areas) and INTERREG/ETC (the EU programme for territorial cooperation). A case study seeks to identify indications and structural patterns of operational implementation. Although both instruments show positive effects overall along the Bavarian border regions, there are also clear indications of unintended errors in governance, leading to a loss of efficiency. In particular, non-continuous long-term funding conditions and objectives pose problems. However, within these regions creative adaptations of project ideas to the relevant topics and target strategies can be identified. Therefore, the authors call for more confidence in endogenous potentials on the regional level, including in relation to cross-border cooperation. In order to avoid frictional losses and to increase the effectiveness of the instruments, a stringent orientation towards strategies should be further pursued.

### Keywords

Regional governance – European structural and investment funds – Allgäu – Cham – border regions – regional development – LEADER – INTERREG

## 1 Introduction

There have long been measures aimed at tackling the disparities between regions or intended to compensate for certain conditions in specific types of space, e.g. in rural areas or border regions. A diverse range of instruments is available: harder, legal options and softer, persuasive instruments, monetary and non-monetary instruments, as well as instruments attached to various functional departments and developed on different spatial levels (federal state, federal and EU programmes) (cf. e.g. Chilla/Kühne/Neufeld 2016). Current examples include funding guidelines for rural development and the European cross-border cohesion funding.

Recent decades have seen a shift in management tools from formal (e.g. spatial planning, regional planning) to informal approaches (e.g. spatial development, regional management), causing guidelines and laws to move increasingly into the background. Citizens are no longer just the targets of political actions but are rather – at least in certain areas – actors that can co-shape processes and outcomes. In addition, the spatial level of the region has been positively reassessed because it is here that special (regionally specific) interests can best be considered. These two processes of change have led to approaches that became known as ‘regional governance’ around the millennium (cf. e.g. Pütz 2004; Müller/Brinks/Ibert et al. 2015). This refers to forms of management and coordination that generally do not coincide with the competence of territorial authorities and that – in contrast to state regulation – are particularly characterised by cooperation between the various stakeholders in the region within a framework of strategic coordination (Benz 2015: 404 et seq.).

In general a number of management and coordination instruments are used in any one area. In border regions the interactions between instruments are especially complex, firstly because the normal programmes are supplemented by special cross-border funding programmes (in particular INTERREG/ETC that aim to promote cross-border cooperation), and secondly because there are often different instruments for similar problems on the two sides of the border. On the one hand, the variety of instruments allows different types of problem to be tackled. On the other hand, a great degree of coordination is necessary to avoid work on certain issues being duplicated and other issues receiving no attention. Furthermore, the use of the instruments should be as clear as possible, both in terms of the structures of (higher level) policies and programmes and also for those using the instruments locally.

This begs the question of whether the actors involved in the governance processes can find their bearings in the increasingly complex funding and governance landscape and, linked to this, whether the individual programmes and measures are employed and implemented efficiently and effectively. Thus, for instance, in the special report on the EU LEADER (*Liaisons Entre Actions de Développement de l’Economie Rurale*, in English: Links between actions for the development of the rural economy) programme (Implementation of the LEADER Approach For Rural Development), the European Court of Auditors found that despite ‘examples of best practice’ the Local Action Groups (LAGs) have implemented the LEADER approach ‘in ways that limit the potential for added value’ in relation to the ‘LEADER features’ (European Court of Auditors 2010: 15). As part of the Future Forum on rural development held at the

International Green Week in 2017 there was an event entitled 'Putting the brakes on civic projects' (*Vollbremsung für Bürgerprojekte*). The session concluded that rampant bureaucracy was hindering rural development, and a plea was made to restart the European Agricultural Fund for Rural Development (EAFRD).<sup>1</sup>

Those responsible for EU funding policy have in the meantime made attempts to reduce complexity. Regulation (EU) No. 1303/2013 of the European Parliament and the European Council provides for the first time a joint EU regulation for the various European structural and investment funds (ESI funds) for the budget period of 2014-2020. This is intended to achieve a simplification and harmonisation of the rules of the various funds, more efficient implementation and a reduction in the administrative burden (European Commission 2016: 24).

## 2 Research questions and methods

This article examines the European structural and investment funds to determine the extent to which they are effective and efficient in relation to regional governance in border regions, whether and how they contribute towards the positive development of border regions and where there are deficits. The following questions are addressed:

- > What are the instruments and programmes and what are their focuses? The most popular instruments are examined by way of example with a focus on LEADER and INTERREG, using two areas on the Bavarian borders (Bavaria–Czech Republic and Bavaria–Austria) as case studies.
- > Who are the stakeholders that deal with the instruments and how do they interact? The stakeholders involved have been aggregated into groups (e.g. those responsible for programmes at the relevant ministries or offices, or project leads in the regions).
- > How are development processes advanced in border areas and how is cross-border cooperation improved? By tracing the course of the projects it becomes clear where there are opportunities for and hindrances to the acceptance and implementation of the instruments – and the consequences of this for achieving the objectives.

A combination of methods is used for this study. Document analysis provides basic information on the research areas and the instruments and programmes (parameters, range, focuses). Statistics and EU documents, including the relevant subordinate guidelines and evaluation reports, are also utilised. The EU funding programmes tend to be very transparent and such data is usually readily available (at least for the current and previous funding periods).

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1 Cf. <https://www.netzwerk-laendlicher-raum.de/service/veranstaltungen/dvs-archiv/2017/zukunftsforum/> (08 April 2018).

Expert interviews and interviews with the users of the programmes were initially planned in order to gain information on the views of stakeholders. However, the authors' extensive experience quickly led them to believe there was a great danger of results being distorted by people giving socially acceptable answers. This refers to the situation whereby 'due to specific fears of the consequences the actual circumstances are concealed or glossed over' (Schnell/Hill/Esser 2005: 355). For instance, if employees of the programme authorities present the positive aspects of their programmes in a biased fashion, this distorts the results. For this reason, the utilisation, acceptance and weaknesses of the instruments are investigated exemplarily through case study projects. As both authors have been active in the field of regional development and regional management both professionally and intellectually for around 15 years, they can draw on unpublished working documents and protocols as well as strategy and evaluation reports.

This exploratory approach means that the study lays no claim to present comprehensive or representative findings. The weaknesses mentioned explicitly do not apply to all sponsored or cross-border projects, but provide indications of where opportunities to improve funding policies might be examined. In addition, aspects that have attracted little attention to date are identified and publicised, so that condensed hypotheses can be formulated as findings at the end of the process.

### **3 Research areas: the districts of Oberallgäu and Cham**

These questions are investigated using case studies from two areas: one on the border between Bavaria and Austria (case study on the district of Oberallgäu) and one on the border between Bavaria and the Czech Republic (case study on the district of Cham). This article also takes a brief look at the situation across the border, but the focus of the study is on the Bavarian areas (cf. Fig. 1).

The district of Oberallgäu is part of Allgäu and hence lies in the far south-west of Bavaria in the government region of Swabia. Allgäu shares a border with Austria to the south and its historical territory extends into the neighbouring federal state of Baden-Württemberg to the west. As the image and reputation of Allgäu is based on agriculture and tourism it is often overlooked that the area also has a diversified economic structure. Overall Allgäu can be said to be characterised by positive and sustainable development, even if there is a need for action or potential for improvement in certain aspects (e.g. a reduction of the high rate of land take, the extension of local public transport, an improvement in the provision of broadband) (cf. Weizenegger/Wezel 2011: 291 et seq.; *Regionalentwicklung* [Regional Development] *Oberallgäu* 2014b).

The research area of Cham is the most eastern district of the government region of Upper Palatinate in eastern Bavaria and borders the Czech Republic. After the eastward expansion of the EU in 2004, the immediate proximity of the Czech Republic provided the region with new perspectives and synergy effects on both sides, e.g. an increase in skilled workers from the Czech Republic in the region and numerous

business start-ups. This is the context within which the continuing increase in employees liable for social security contributions at their place of work should be understood. Other positive effects on the labour market can be noted, such as the continued low average unemployment rate of around 2%. Since 2010 the district of Cham has seen more inward migration than outward. The economic structure of the area is primarily characterised by small and medium-sized enterprises and includes enterprises from industry, commerce, the trades and services. The most prominent sectors here are electrical engineering, mechanical engineering, plastics engineering and metal products. The main weaknesses of the region are the lack of a motorway link and the lack of fibre-optic broadband or high-frequency wireless networks covering all sub-regions. Due to the size of the districts there is also some fragmentation of the settlement structures.



Fig. 1a: The research area of the Local Action Group Oberallgäu /Source: Regionalentwicklung Oberallgäu (2014a: 33)





Although the size and population of the two districts are comparable, the borders display different characteristics (cf. Table 1).

Characteristics of the research areas	District of Oberallgäu, with adjacent areas in Tyrol and Vorarlberg, Austria	District of Cham, with the adjacent districts of Klatovy and Domazlice, Czech Republic
Basic data – district	Population: 150,981 (31 December 2014) Area: 152,800 ha	Population: 125,844 (31 December 2014) Area: 152,017 ha
Border	<ul style="list-style-type: none"> <li>&gt; Border between Austria and Germany that has been politically open for many years</li> <li>&gt; Similar political system on both sides of the border</li> <li>&gt; Austria in the EU since 1995</li> <li>&gt; Austria joined the Schengen area in 1995</li> <li>&gt; Mountains as a natural barrier</li> <li>&gt; Customs union areas of Jungholz and Kleinwalsertal</li> </ul>	<ul style="list-style-type: none"> <li>&gt; ‘Iron curtain’ as a hard border between the former Czechoslovakia and Germany</li> <li>&gt; Different political systems before the fall of the Iron Curtain; dissolution of rural districts in the Czech Republic (only provinces left)</li> <li>&gt; Czech Republic in the EU since 2004</li> <li>&gt; Czech Republic joined the Schengen area in 2007</li> <li>&gt; Language barrier (for a long time one-sided, now compromising with English)</li> <li>&gt; Historical roots of double citizenship</li> </ul>
Cross-border activities	Diverse INTERREG projects, cooperation primarily in tourism and in the cultural sector, particularly with the customs union areas (examples: Allgäu-Walser-Card, ‘the highest’ with mountain railways on both sides of the border, Euregio wind orchestra); commuter connections with the region Außerfern (Tyrol)	Since 2002 regular INTERREG projects in different fields of action (competitiveness, labour markets, regional development, intermunicipal cooperation, municipal partnerships) (Examples: cross-border business portal <a href="http://www.regioport.com">www.regioport.com</a> , cross-border municipal action alliances (Integrated Rural Development [ <i>Integrierte Ländliche Entwicklung, ILE</i> ]), impuls bavaria-bohemia project aiming at the development of a joint labour market)

<b>Characteristics of the research areas</b>	<b>District of Oberallgäu, with adjacent areas in Tyrol and Vorarlberg, Austria</b>	<b>District of Cham, with the adjacent districts of Klatovy and Domazlice, Czech Republic</b>
Territorial categories according to the Bavarian State Development Programme	General rural area  No region with a particular need for action according to the 2013 Federal State Development Programme (the city of Sonthofen categorised as such by the 2014 resolution of the Council of Ministers)	General rural area  Region with a particular need for action according to the 2013 Federal State Development Programme

Table 1: The two research areas in comparison /Data: Bavarian State Government (2013), Lokale Aktionsgruppe Landkreis Cham [Local Action Group district of Cham] (2014), Regionalentwicklung Oberallgäu (2014a), StMFLH [Bavarian State Ministry of Finance and Regional Identity] (2014), LfS [Bavarian State Office for Statistics] (2016a), LfS (2016b)

On the border between Bavaria and Austria, the mountains create a natural barrier but there is no language barrier, and in Allgäu there are very close links in the Jungholz and Kleinwalsertal custom union areas, which belong to Austria but only have transport links into German territory. There is cross-border cooperation in various projects but the border area between Germany (or Bavaria) and Austria has been little researched. For example, the border area between Germany and Austria does not figure in the publication by the Academy for Spatial Research and Planning (*Akademie für Raumforschung und Landesplanung, ARL*) on European border area research (Scherhag 2008).

Following many years when the border between Bavaria and the Czech Republic was fairly impermeable, the border areas (particularly in the government regions of Upper Palatinate and Lower Bavaria) can now look back on more than 20 years of cooperation. In the course of the (non-public) study on the European Region of Danube-Vltava and the current border area study by the Bavarian State Ministry of Finance and Regional Identity (Grontmij 2015), stakeholders in the border area were questioned. It would be interesting to determine how stakeholders evaluated the cross-border projects after they were completed, but this was not investigated in the available studies.

The Bavarian Federal State Development Programme (Bavarian State Government [Bayerische Staatsregierung] 2013) classifies both areas as ‘general rural area’. The Bavarian-Czech border area is classified as a ‘region with a particular need for action’; the Bavarian-Austrian border area is not.

## 4 Instruments studied

### 4.1 Overview of EU regional policy/structural policy

The basic structure of the European structural and investment funds for the period 2014–2020 under the umbrella of the Europe 2020 Strategy can be systematised in line with the Regulation (EU) No. 1303/2013, as seen in Figure 2.

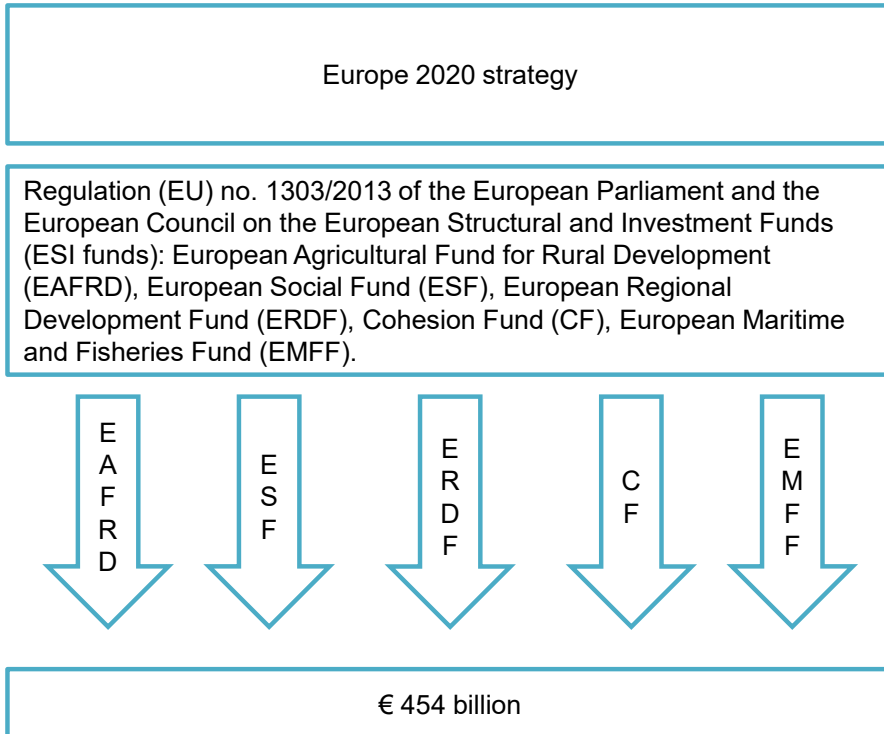


Fig. 2: Overview of the European structural and investment funds for the 2014–2020 budget period / Source: the authors; Data: European Commission (2016)

What is new in the 2014–2020 programme period is that Regulation 1303/2013 provides a single ordinance with the fundamental regulations for the five different funds. The motivation behind this amalgamation was the desire on the part of the European Commission (and certainly also many of the users of the programmes) to align and better harmonise the procedures – not least to render the instruments simpler and more effective (European Commission 2016: 24). Nonetheless, in addition to the joint stipulations there are still separate regulations for the individual funds, such as Regulation 1305/2013 for the European Agricultural Fund for Rural Development (EAFRD). On coordination and complementarity between the European Structural and Investment Funds, the Common Strategic Framework for Regulation (EU) No. 1303/2013 states: ‘Member states and managing authorities responsible for the implementation

of the ESI funds *shall* work closely together in the preparation, implementation, monitoring and evaluation of the Partnership Agreement and programmes [...]’ and [...] increase the impact and effectiveness of the Funds including, where appropriate, through the use of multi-fund programmes for the Funds’ (Regulation (EU) No. 1303/2013 L347: 413, emphasis added by the authors). This means that close alignment between the funds is desired but not binding.

The idea of the multi-fund programmes means that programmes can be set up that draw on several funds. The CLLD (Community-Led Local Development) approach should play an important role in implementation (cf. ENRD 2014). This approach was new in the 2014–2020 period and is described in Articles 32 to 35 of the Regulation (EU) 1303/2013 (Regulation (EU) No. 1303/2013 L 347: 355 et seq.). In principle, CLLD is no different from the LEADER approach that has existed for 25 years (cf. Section 4.2), and which is now to be transferred under another name to the other European structural and investment funds. This means that not only should coordination between the funds be improved but that regional stakeholders should be given more scope in more areas of implementation – in other words, regional governance should be further strengthened. However, while Article 59(5) of the EAFRD regulation stipulates that at least 5% of EAFRD resources must be allocated via *LEADER* (Regulation (EU) No. 1305/2013 L 347: 527), there is no corresponding stipulation that the CLLD must be used for the other funds.

## 4.2 LEADER

LEADER has existed since 1991 and stands for *Liaisons Entre Actions de Développement de l’Economie Rurale* (Links between actions for the development of the rural economy). This is not just a European Union funding programme for rural areas but also a comprehensive approach: ‘The difference between LEADER and other more traditional rural policy measures is that it indicates “how” to proceed rather than “what” needs to be done’ (European Communities 2006: 8). LEADER has the following important characteristics (European Communities 2006: 8 et seq.):

- > Characteristic 1: Area-based local development strategies
- > Characteristic 2: Bottom-up approach
- > Characteristic 3: Public-private partnerships: The Local Action Groups (LAGs)
- > Characteristic 4: Facilitating innovation
- > Characteristic 5: Integrated and multi-sectoral action
- > Characteristic 6: Creating networks
- > Characteristic 7: Cooperation

The core of LEADER has always been the participatory approach: development should emerge from the regions, and it should happen locally. The motto in Bavaria is hence ‘Citizens shape their home’ (*‘Bürger gestalten ihre Heimat’*) (StMELF [Bavarian State Ministry of Food, Agriculture and Forestry] 2017b: n. p.). The Local Action Groups (LAGs) are indispensable. They comprise public (municipal, district) and private stakeholders (e.g. clubs, societies, associations), which play a significant role in the development processes in their region. The number of Local Action Groups has risen from programme period to programme period (cf. Table 2). The most important tasks of the Local Action Groups are:

- > coordinating and motivating people in the region to seek out solutions themselves as well as providing help with funding applications and the implementation of projects; this is carried out by the LAG management.
- > choosing the projects to be funded; for this task each LAG has a decision-making committee, which EU guidelines stipulate should consist to at least 50% of economic and social partners.

LEADER phase	Local Action Groups			Integration, orientation and budgets
	in Bavaria*	in Germany	in Europe*	
LEADER I (1991–1993)	2	13	217	Trial period; Community Initiative within the framework of the EU Structural Funds; EU funding: € 442 million.
LEADER II (1994–1999)	33/45	118	906	Community Initiative; only disadvantaged rural regions; within the framework of the EU Structural Funds; EU funding: € 1,755 million.
LEADER+ (2000–2006)	45	148	893/1,153	Community Initiative; for all rural regions; shift from regional to agricultural policy; EU funding: € 2,105 million.

LEADER phase	Local Action Groups			Integration, orientation and budgets
	in Bavaria*	in Germany	in Europe*	
LEADER 2014–2020 (as of 2017)	68	321	about 2,600	LEADER remains part of the EAFRD, the approach should be transferred to the other European structural and investment funds under the CLLD (Community-Led Local Development); at least 5% of the EAFRD budget must be implemented via LEADER by all member states; for CLLD there are no such stipulations.

\* Some sources give different figures for the number of Local Action Groups. This is connected with whether the ‘collective action bodies’ were counted as Local Action Groups in earlier funding periods or not. The figures may also be affected if new Local Action Groups come into being late in a funding period.

*Table 2: Development of LEADER and number of Local Action Groups in the funding periods /Sources: The authors based on European Communities (2006), Ostheimer (2014), DVS (2017b), European Commission (2017b), StMELF (2017b) and information from Dr. Angelika Schaller (Bavarian State Ministry of Food, Agriculture and Forestry)*

Cooperation is one of the seven core elements of LEADER, although within LEADER this need not be cross-border. Before being integrated into the European Agriculture Fund for Rural Development (EAFRD) in the budget period 2007–2013, LEADER was a Community Initiative (cf. Table 2). Community Initiatives tackle issues that affect all EU member states equally. Mutual exchange between stakeholders (e.g. at workshops or via the publications of network offices) and the associated learning from one another have always played an important role in LEADER.

The current regulation for the period 2014–2020 includes the explicit goal of inter-territorial and transnational cross-border cooperation in justification for the EAFRD regulation (Regulation (EU) No. 1305/2013 L 347 (32): 494): ‘Support for LEADER local development from the EAFRD should also cover inter-territorial cooperation projects between groups within a member state or transnational cooperation projects between groups in several member states or cooperation projects between groups in member states and in third countries’. A specific article (Article 44) of the regulation deals with ‘LEADER Cooperation Activities’ and declares the following eligible for funding: ‘[...] cooperation projects between territories in several member states or with territories in third countries (transnational cooperation) [...]’ and the ‘preparatory technical support for inter-territorial and transnational cooperation projects [...]’ (Regulation (EU) No. 1305/2013 L 347: 520).

Figure 3 shows the most important legal bases and stakeholders in the LEADER programme on different spatial levels using the example of Bavaria. In Germany LEADER is the responsibility of the federal states. This means that the EU provides the framework and that the relevant agreements are made between the EU and Germany as a member state, but that the individual LEADER programmes and thus the funding guidelines differ in some cases considerably between federal states, as do the available budgets and the eligibility for funding.

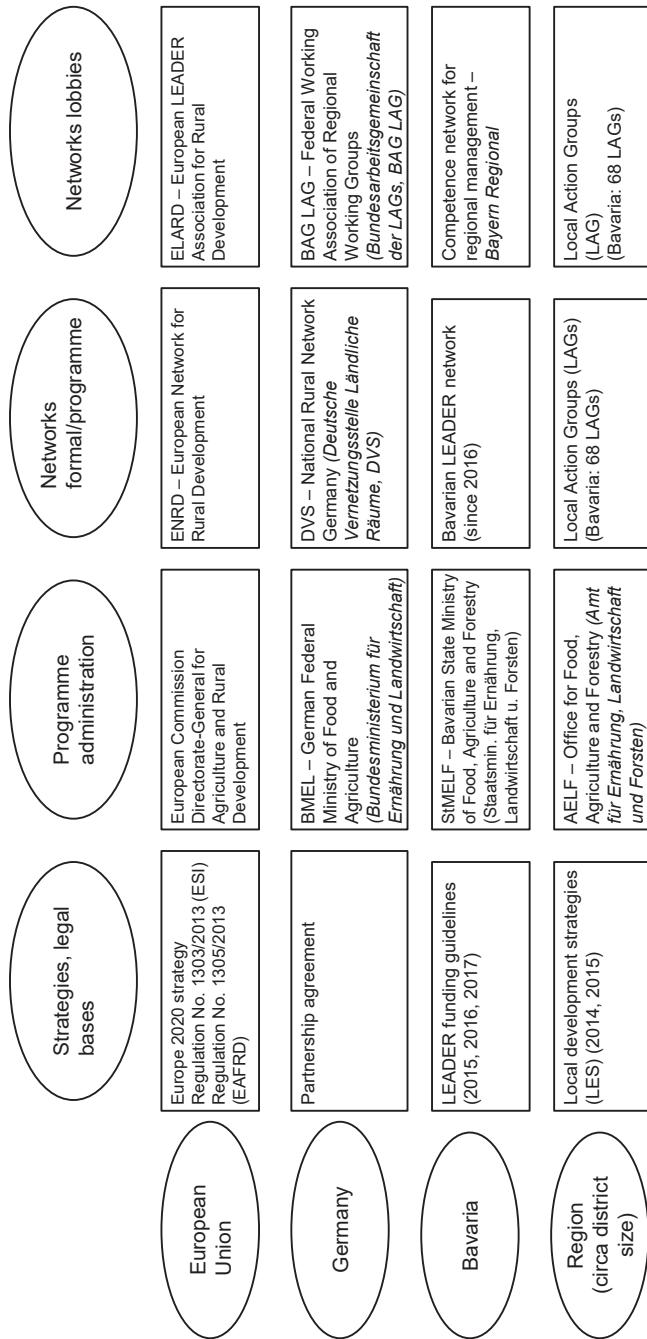
The administration of the programme lies with the agriculture department – in Bavaria with the Bavarian State Ministry of Food, Agriculture and Forestry [*Bayerisches Staatsministerium für Ernährung, Landwirtschaft und Forsten, StMELF*]. Locally, the programme is supervised by the Departments for Food, Agriculture and Forestry (*Ämter für Ernährung, Landwirtschaft und Forsten, AELF*), where specialist centres for structural development and diversification are responsible for processing the funding and payment requests and there are LEADER coordinators (known as LEADER managers until 2012) providing advice and networking for up to eight Local Action Groups (*StMELF* 2017b). In this complex structure, communication and information activities are carried out via numerous networks on various levels. Here a distinction must be made between formal, programme-based networks that are financed and organised from the programme budget as technical support, and networks that are formed bottom-up by users of the programme.

The latter have, in addition to networking and communication tasks, an important lobbying function (especially vis-à-vis the programme authorities). The Regional Management competence network in Bavaria is not limited to LEADER. Since its inception in 2006 it has included various structures and organisations active in the field of regional management in the broadest sense (e.g. regional management funded via the ERDF or the IRD regions) which are coordinated by specialist groups.<sup>2</sup> This structure ensures intensive exchange between the various programmes on an operational level. In other words, in the regions the level of the non-state stakeholders has – with a small budget and great dedication – for years lived out what was formally announced in the EU papers for 2014–2020 for the middle level of EU member states and federal states and has to date hardly been implemented (only in outline form in Saxony-Anhalt) (*DVS [National Rural Network Germany] 2017a*).

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2 Cf. <http://www.bayernregional.org/wir-ueber-uns.html> (09 April 2018).





Compilation: S. Weizenegger 2017

Fig. 3: Overview of the most important documents and stakeholders from the administration and networks in the LEADER programme on various spatial levels – the example of Bavaria / Source: the authors, based on ENRD (2014), StMELF (2015), StMELF (2015), European Commission (2016), StMELF (2016), DVS (2017b), StMELF (2017a), StMELF (2017b) and the websites of the named institutions and networks

### 4.3 INTERREG/ETC

The European Regional Development Fund (ERDF) is intended to abolish inequalities between the various regions and thus improve economic, social and territorial cohesion in the European Union (cf. European Commission 2016). In Bavaria this European objective has been translated into two sub-objectives: first, investment in growth and employment with five funding areas: research, technological development and innovation, competitive small and medium-sized enterprises, climate protection, flood protection and the sustainable development of functional areas; second, European territorial cooperation, which includes the funding priorities of cross-border cooperation, transnational cooperation and interregional cooperation. The following discussion focuses particularly on the funding framework between Bavaria and the Czech Republic that is often referred to by the abbreviation INTERREG. This is a cross-border programme. There are similar applications of the ERDF in the other border areas between Bavaria and Austria and in the Alpine Rhine–Lake Constance–High Rhine region (cf. *Regierungspräsidium Tübingen* [Tübingen Regional Government] 2015). The specific goals and priority axes are found in the programme document ETC Bavaria – Czech Republic. At this point only brief reference is made to this.

The present study aims to situate and evaluate the funding principles against the background of the operational implementation of projects by those responsible. The Bavaria–Czech Republic ETC programme has a territorial focus and funding principles which determine the eligibility of projects. The funding principles are (*StMWMET* [Bavarian Ministry of Economic Affairs and Media, Energy and Technology]/Czech Republic's Ministry of Regional Development [*Ministerstvo pro místní rozvoj ČR*] 2015a: 3):

- > At least one Bavarian and one Czech partner should be involved in a project.
- > The partners name a lead partner from among their members who bears overall responsibility for managing the project.
- > Each project must be thematically aligned with a specific objective of the relevant priority axis.
- > The project must have a positive impact on the Bavarian and Czech border area.

The last criterion – ‘a positive impact on the Bavarian and Czech border area’ – can be measured qualitatively as well as quantitatively. However, there are only superficial statements guiding the evaluation of these indicators as sufficient for a ‘positive impact’. Firstly, a project must fulfil three of the four criteria listed below, whereby the first two implementation modalities are regarded as compulsory (*StMWMET*/Czech Republic's Ministry of Regional Development 2015a: 4):

- > Joint preparation (compulsory)
- > Joint implementation (compulsory)

- > Joint funding
- > Joint personnel

This means that each project requires at least one Bavarian and one Czech partner. The process is characterised by joint consultations, a joint application (Free State of Bavaria – Czech Republic) and the joint allocation of tasks. This is followed by the compulsory implementation phase, which is also a joint responsibility and is conducted by at least one partner from each party. Following this stipulation, each of the parties names a lead partner who bears overall responsibility for carrying out the project. Furthermore, the project in question must be in line with the specific objectives and have a positive impact on both the Bavarian and the Czech border area. Projects eligible for funding can receive up to 85% of their funding via the ERDF. A joint secretariat for cross-border cooperation between the Free State of Bavaria and the Czech Republic has been established in the Bavarian Ministry of Economic Affairs and Media, Energy and Technology (*Bayerisches Staatsministerium für Wirtschaft und Medien, Energie und Technologie*), and is to administer the tasks for the funding period 2014–2020 (*StMWMET/Czech Republic's Ministry of Regional Development 2015a: 74 et seq.*). The division of functions for the implementation of the cooperation programme is shown in Table 3.

Looking back on the previous funding period from 2007 to 2013 it is clear that the funding criteria have become stricter and thus the quality demanded of cross-border cooperation has increased considerably. The formal requirements for those running projects have also steadily increased. This increasingly leads to a situation whereby only project sponsors with large, cost-intensive projects participate.

Authority/department	Name of authority/ location of department	Description of task
<b>Administrative authority</b>	<ul style="list-style-type: none"> <li>&gt; Bavarian Ministry of Economic Affairs and Media, Energy and Technology</li> <li>&gt; Czech Republic's Ministry of Regional Development</li> <li>&gt; Intermediary departments: Ministry of Regional Development (ETC Department), Karlsbad Province (Regional Development Department), Plzeň Province (Funds and Programmes Department, Southern Bohemia Province (EU Affairs Department)</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Evaluation of the cooperation programmes in relation to the principles</li> <li>&gt; Administrative and scrutiny function</li> <li>&gt; Evaluation and alignment of regulations governing the award of funding</li> </ul>
<b>Certifying authority</b>	<ul style="list-style-type: none"> <li>&gt; Bavarian Ministry of Economic Affairs and Media, Energy and Technology</li> <li>&gt; Czech Republic's Ministry of Regional Development</li> </ul>	<ul style="list-style-type: none"> <li>&gt; The function of the certifying authority in line with Article 126 of the Regulation (EU) No. 1303/2013 in conjunction with Article 24 of Regulation (EU) No. 1299/2013 is fulfilled by the Bavarian Ministry of the Economy (delegation of tasks to the Czech Republic possible)</li> </ul>

Authority/department	Name of authority/ location of department	Description of task
<b>Audit authority</b>	<ul style="list-style-type: none"> <li>&gt; Bavarian Ministry of Economic Affairs and Media, Energy and Technology</li> <li>&gt; Czech Republic's Ministry of Regional Development</li> </ul>	> Evaluation and authorisation of the programme
<b>Substantive evaluation panel</b>	<ul style="list-style-type: none"> <li>&gt; Regional cross-border steering committee</li> </ul>	> Operational consultation of the Czech and Bavarian administrative authorities under participation of municipal and regional holders of political offices

Table 3: ERDF/INTERREG administrative structure in Bavaria /Source: the authors based on INTERREG Austria – Germany/Bavaria 2014–2020 (2015) and StMWMET/Czech Republic's Ministry of Regional Development (2015b)

## 5 Exploratory findings

### 5.1 Case study: Oberallgäu

#### Results in figures and from evaluations

Since the establishment of the Local Action Group for the regional development of Oberallgäu in 2003 the group has been involved in about 140 successful LEADER project applications. These projects cover a diverse spectrum, with focal points ranging from tourism to agriculture to the environment to social issues. The projects are implemented by public and private agencies and sponsors and there are both investment projects and ones with management or networking focuses. In the programme period 2007–2013 alone the volume of programmes amounted to nearly €8million; funding of about €3.1million went to Oberallgäu via the LEADER programme (*Regionalentwicklung Oberallgäu* 2008; *Regionalentwicklung Oberallgäu* 2014c; *Regionalentwicklung Oberallgäu* 2016; internal project lists of the Local Action Group).

Since the founding of the Local Action Group there have been only two transnational cooperation projects funded via LEADER that are included in the statistics (European Paths of St James [*Europäische Jakobuswege*], Alpdorf Balderschwang feasibility study [*Machbarkeitsstudie Alpdorf Balderschwang*]). In this context it should be pointed out that there are often project applications that are formally individual projects (due to the large amount of work involved in the application process or for

other reasons) but that are nonetheless implemented in a cross-border fashion. For instance, in 2008 separate applications for a project concerning the training of cultural guides were made in the Local Action Groups of Außerfern (Tyrol), Ostallgäu and Oberallgäu, but the project was at least in part implemented as a joint endeavour. This was because the stakeholders in Austria wanted to begin the project but in Bavaria a break between two funding periods meant that an application could not yet be made. It thus seems likely that there is a certain amount of underreporting of cooperation projects, such that most evaluations probably underestimate these figures.

In their comparative study of LEADER in Oberallgäu and in Vorarlberg, Mayer/Metzler/Job (2008: 155 et seq.) suggest that various things work better in Austria and link this to the greater experience in Austria – the LAG for the regional development of Oberallgäu was only a few years old when this study was conducted. However, the stakeholders in Oberallgäu itself are generally satisfied or very satisfied with the LEADER process and the activities of the Local Action Group, even if the latest survey results are somewhat less positive (*Regionalentwicklung Oberallgäu* 2007: 127; *Regionalentwicklung Oberallgäu* 2014c: 69 and 99).

In the period 2007–2013 almost €11 million went via INTERREG to Allgäu, to Außerfern und Vorarlberg. Between 2008 and 2014 a total of more than €330,000 (ERDF funds) was used to support 35 cross-border projects just from the small project fund of the Via Salina Euroregion, a cross-border association of these three areas.<sup>3</sup> The focus was on tourism, even if there were individual projects in other areas (such as mobility or cooperation between authorities with security responsibilities). In the current funding period there are also cooperation projects that concern telemedical services, moorland conservation, architecture, sport and philosophy.

### **Impression from project consultations – increasing complexity**

One of the core tasks of the LAG management is to advise those with ideas and support them in realising their projects. It is not uncommon for people to come to the consulting sessions with ideas that they have already discussed with other organisations or departments, or for people to be passed onto other authorities because the LEADER programme is not appropriate for their project. The map in Figure 1 (Case Study: Oberallgäu) and Table 2 show the overlaps between a number of territories, funding instruments and management offices. Despite requests by the EU to better coordinate the funding landscape, the various funding bodies all work with different contact persons, procedures and forms. For people seeking funding, the ‘funding jungle’ is becoming increasingly impenetrable: sometimes they encounter a (more or less service-oriented) advisory or management office, at other times administrators who just administer the funding (and who have numerous other tasks for which they are responsible). Some contact persons are present locally in the regions, others are located at the district authorities, in the state capital or even further away. This complexity leads to irritation not only for those with new ideas but also for the others involved, whether press officers or those with political responsibility. At times stake-

<sup>3</sup> Author’s calculation based on <https://www.interreg-bayaut.net/projekte/liste-der-vorhaben/> (18 May 2021).

holders can no longer categorise the focus of a particular programme or even determine what function they have in a particular committee or project meeting.

The territories of the Local Action Groups tend to become ever larger but the number of personnel in the management and funding offices is not correspondingly increased. This means that there is often insufficient time available for intensive advice (for instance about alternative funding or financing options) or for the associated research and training. The potential applicants are left to do much of the running about themselves. They need to invest much time and energy in the choice of an appropriate funding programme and thus have less resources available for substantive project work.

### **LEADER or INTERREG? – Optimising funding from the perspective of the project sponsors**

The LAG management often receive project ideas that are still in a very early stage of development. These ideas include projects that would be feasible and useful both in cooperation with a neighbouring area in Austria and as individual projects. A decision must then be made as to whether a cooperation with the neighbouring country should be initiated or not and, if so, whether the project application should and may be made under the INTERREG or the LEADER programme.

In practice, the result of this decision often does not depend greatly on the actual substance of the project. The close links between the regions on the two sides of the border also mean that there are few hindrances in terms of language or culture. Thanks to years of the border being open and to long-term cooperation, the stakeholders involved often know one another before a project starts. The decision in favour of a particular instrument is often more dependent on an optimising logic, which involves considering factors such as the amount of funding available and the valid funding rates, the effort involved in the application and the risk of the project being rejected. If the project does not fit with the specified parameters then it will be 'made to fit' in terms of optimising funding options. Once cooperation is initiated then difficulties such as different VAT levels or other differing guidelines and legal regulations on the two sides of the border are overcome through cooperation between the funding offices. This is particularly possible for those stakeholders who already have experience of project work and the relevant funding. It can also be the case, however, that those with new ideas do not continue to pursue funding – or in some cases abandon the whole cooperation project – after the first advisory session. Figures concerning the number of project ideas that are followed through are not systematically collected. It is nonetheless certainly realistic that a not inconsiderable proportion of those organising projects shy away from the application process more than from implementing the project itself.

### **LEADER or INTERREG? – Differences and changing parameters**

In LEADER+ (2000–2006) Local Action Groups in Bavaria and Austria were able to execute cross-border cooperation projects with each other. In LEADER 2007–2013 this was no longer possible because INTERREG was given priority over LEADER, but this was again no longer the case in the 2014–2020 period. For stakeholders engaged in a great deal of cross-border cooperation and whose activities are largely based on

funding (and who thus have experience of the funding requirements and process), such changes impede strategic financial management. Furthermore, in the phase when INTERREG had priority, contacts in the neighbouring country that had been built up through the Local Action Group were lost or could only be maintained with a great deal more effort.

For cooperation projects between Bavaria and Austria the LEADER parameters are different on the two sides of the border; this also applies to the selection of projects. Naturally the Local Action Groups in Austria must also agree on the projects to be funded, but for the 2014–2020 period there is also a countrywide selection procedure for transnational cooperation projects (Ministry for an Austria Worth Living In [*Ministerium für ein Lebenswertes Österreich*] 2016: 236 et seq.) and a specific, countrywide budget for cooperation. In contrast, in Bavaria it is the LAG's own budgets that are charged – which clearly provides less incentive for cooperation than is the case in Austria.

### **LEADER and INTERREG – or: where coordination failed to work ...**

When (potential) cross-border project ideas are received then the management offices responsible for the areas in question (LAG management, Euroregion headquarters) usually coordinate with one another to determine the most suitable funding programme. Whether and to what extent this coordination occurs on a systematic basis is unknown. In the following an example is discussed where this coordination was unsuccessful.

In LEADER+ the pilgrimage routes of St James were the object of an EU cooperation project involving Local Action Groups from Bavaria, Austria, France and Poland, as well as Switzerland (using a special agreement). The main pilgrimage routes were identified, the routes agreed – especially where they cross the borders – and criteria for pilgrim-friendly services were developed. With the help of many volunteers, a small budget and the support of the LAG headquarters, the sponsors of the routes organised joint publicity in the form of flyers for the various stages of the pilgrimage routes which could be updated and printed as required. Annual plenary sessions with all partners encouraged discussion about the project but also about other regional development issues. The project was extended for the 2007–2013 period, the cooperation received a great deal of attention and was presented at the European Commission stand at the 2009 International Green Week in Berlin (*Regionalentwicklung Oberallgäu* 2008: 19; *Regionalentwicklung Oberallgäu* 2010: 7).

In 2012 new actors from Tyrol and the southern district of Oberallgäu defined a new Way of Saint James which was funded by the small-project fund of the Via Salina Euroregion (thus through INTERREG). The route runs from the Fernpass through the Tannheim Valley and into Oberallgäu in a northerly direction, and is thus contrary to the guidelines of the pilgrim communities which state that the routes of St James should take the most direct route possible to Santiago de Compostela (in a south-westerly direction). The new route was marketed using professionally designed and printed brochures. The LEADER project had always avoided this because the routes of St James were not primarily viewed as tourist infrastructure or a tourism marketing tool, but rather as a project to bring people together and improve networks. The



Local Action Group and the project lead for the Bavarian LEADER project learned about the new part of the pilgrimage route from the press. Here coordination between the various instances was unsuccessful both locally and on the level of the programme. The funding agencies for LEADER and INTERREG both supported the same project but with somewhat competing substance.

### **Interim conclusions**

With the help of LEADER and INTERREG/ETC it was possible to implement a considerable number of projects in Oberallgäu. Via LEADER in particular it proved possible to involve a broad number of stakeholders. There were, however, a number of points where friction losses occurred and the opportunities offered by the programmes were not fully realised.

## **5.2 Case study: Cham**

### **Results in figures and from evaluations**

The positive development of the Cham region can be linked not least to regional management initiatives dating back to 1993. The active participation of local residents is particularly characteristic of the commitment and solidarity found in the district. One important cross-border step was initiated as early as 1990. The municipal politicians of the time were the first in Bavaria to seek stable contacts with Czech partners and thus paved the way early on for cross-border projects, which were then initiated within the INTERREG funding framework. The language barrier and the separate histories of the two countries were the reasons why cross-border work on the Bavarian-Czech border was structurally difficult to compare with similar border areas in a Bavarian-Austrian context. The experiences of the stakeholders are on a different level and, in the end, all possible ways of optimising the cross-border projects are influenced by language and culture.

In the period up to 2020 a total of € 103.5 million was deployed in the programme area on the Bavarian-Czech border for the four funding priorities of research/development/innovation, environmental protection/resource efficiency, investment in competences and education, and sustainable networks/institutional cooperation. The largest proportion of subsidies went to the priority area of environmental protection/resource efficiency with 38.4%, followed by the priority area of sustainable networks/institutional cooperation with 26.9%.<sup>4</sup>

Between 2008 and 2014, 30 projects were implemented within the Local Action Group of the district of Cham with the help of LEADER. The total investment amounted to around € 6 million, of which funding of € 2.3 million was provided by LEADER in EAFRD. The proportion of national funding was 19%, which shows that many private applicants participated in the development process with concrete projects (*Lokale Aktionsgruppe Landkreis Cham* 2014: 8). The Local Action Group was also involved in the transnational project 'European Routes of St James' (cf. also Section 5.1); for the 2014–2020 phase it aims to raise its 'profile as a competitive economic and employ-

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4 Cf. <https://www.by-cz.eu/aktuelles/> (18 May 2021).

ment area on the border with the Czech Republic' (*Lokale Aktionsgruppe Landkreis Cham* 2014: 53). In the 2014–2020 period the LEADER projects received 10% higher funding rates in regions with a particular need for action than in areas that are not part of such regions (*StMELF* 2017a). With INTERREG there is no additional funding.

### **Addressing multiple funding bodies**

Project sponsors generally follow the strategy of applying to different funding bodies. When a project is planned usually all possible sources of support are applied for (e.g. Agency for Rural Development [*Amt für Ländliche Entwicklung*], LEADER, Euroregion, Bavarian State Ministry of Regional Identity [*Bayerisches Heimatministerium*], Bavarian Ministry of the Environment [*Bayerisches Umweltministerium*]). The building of a parish hall in Markt Eschlkam serves as an example here. The development of the project from the original idea to the construction of the building is characterised by thoroughly applying to all possible funding bodies and funding streams. Over the course of the funding period this led to the emergence of informal structures of communication, most of which were channelled and bundled through the 'soft' function of regional management, for instance by the district administration. This function was in part financed in advance by the district of Cham in the form of personnel carrying out non-mandatory tasks or was treated as an addition task alongside existing regional management funding. There is therefore no advisory and channelling function between the levels of the administration and the project sponsors, as would be expected in a consistent governance structure. These gaps were filled intuitively by the local stakeholders.

### **Change management for projects in the INTERREG/ETC context**

Cross-border projects are often characterised by many complex false expectations on the part of project partners, not least due to language barriers. It is therefore very common to need to make changes to projects. The implementing directives that follow a successful project application unfortunately do not provide any information about whether and to what extent changes are possible and useful. For example, with the 'impulz' project, which was intended to align the syllabuses of school subjects, there were repeated misunderstandings concerning the formulation of objectives, contents and project costs. There are regulations about changes to project costs but very little on changes to the substance of projects. The authorities responsible lack the competence to provide advice of this sort. This is often 'glossed over' and reinterpreted through the course of the project, which may well lead to a change of objectives. This in turn, can – in a worst-case scenario – lead to a rescission of the funding after the final proof-of-disposition procedure. Here too the municipalities and actors from regional development provide advice for those running the projects and serve as intermediaries and communicators, including with the administrative authorities. These actors can be seen as 'mediators of language and content' for the funding conditions.

### **A lack of professional project management**

Those running cross-border projects are often not particularly familiar with or qualified in professional project management. There are clearly agreed objectives and indicators included in project applications and latterly it has been necessary to define work packages in the application documents. Nonetheless, the level of detail and

specificity is not usually equivalent to the normal level of task definition. A rough schedule is required which becomes blurred in the cross-border context owing to language barriers, cultural barriers and institutional boundaries, such that it often cannot be fully implemented. In the run-up to the initiation of the project there is a fundamental lack of methodological and consultancy competence in the region which could help to define the objective of a project. Project outlines are drawn up but their preparation tends to be somewhat disjointed and inconsistent. The professionalisation of the project sponsors is only envisioned in passing in the governance structure of the programme documents. The administrative requirements concerning project structure are only superficially anchored in the implementation rules. In some circumstances this can lead to losses in the efficiency of the funded projects. The gap between small and medium-sized cross-border projects and large projects with transregional players complicates efficiency evaluations considerably. Neither the administrative and control level nor regional management is able to make adjustments on a short-term basis in the middle of a funding period. In future, governance structures for the cross-border promotion of cohesion, additional instruments and, in particular, advisory and support functions are therefore desirable.

### **Optimising the funding landscape for project sponsors**

The review of the project initiation phase reveals that the actions of the project sponsors are influenced by the amount of funding, the funding rate, the procedural effort involved and the requirements for proof of disposition. Past decisions were particularly influenced by the amount of funding, especially for municipal projects. The decisive factors were thus not the idea, the area of action or the overall cross-border development objective. Municipal projects are often driven by the need for the mayors to generate broad support in the various committees. Support is easier to find if a funding offer can be portrayed as substantial, simple and thus fail-safe. In the cross-border context, language and cultural barriers also play a decisive role in whether to embark on an INTERREG project with the corresponding costs of finding partners. There is rarely any consideration of whether a project idea would be more useful in a cross-border context. This phenomenon is underpinned by the fact that funding conditions and objectives are not planned in a more consistent and long-term manner. If the conditions of the funding programmes are compared in the individual periods it is often possible to identify structural breaks that force actors to react with adjustments.

### **Project innovations can emerge**

The overall programme objectives and priorities force project sponsors to at least find a thematic umbrella and to work on their ideas in the light of these objectives. In the project initiation phase these priorities are most expedient as they release creative potential among the stakeholders, those responsible for the project and possible partners. The deployment of a partner structure involves a process of innovation with many probabilities and structural considerations. If this process is systematically supported new, very exciting project objectives may emerge. But who provides this systematic support? It can be seen that on the lowest level it is those responsible for regional development who provide systematic support and voluntarily take on the role of intermediary between those who had the idea for the project and the programme authority. In numerous project loops, each of which may last an average of a year, new approaches and ideas emerge about how the project should be adapted to suit the overall priorities and thus the Europe 2020 Strategy. This process is usually effective but due to the complex cross-border partner structures it is not particularly efficient in terms of total project costs and the resulting opportunity costs.

### **Interim conclusions**

In the district of Cham, similarly to the situation in Oberallgäu, it can be seen that the quantity of projects and the quality of the substance of the projects have increased over the years. INTERREG and LEADER are necessary and important incentive structures for cross-border and regional development. The future development of the funding landscape should include an improved support infrastructure for project sponsors as this would improve the quality and thus the effectiveness of the projects.

## **6 Conclusions and outlook**

The findings in the two regions, Cham and Oberallgäu, show that with just the LEADER and INTERREG/ETC instruments numerous projects with a vast range of focuses and structures could be realised. Through these projects (especially with LEADER) it has been possible to involve a broad range of actors in development processes in the sense of regional governance and (especially with INTERREG/ETC) to initiate increased cross-border cooperation.

Since their inception the instruments themselves have continued to undergo development to ensure their targeted use in line with the overall objectives of strategies like Europe 2020. This went hand in hand with increasing complexity which has clearly impacted negatively on efficiency. Problems were observed in practice in both case studies: overlapping funding programmes and territorial eligibility are increasing, creating a 'funding jungle'. Procedural changes, different funding conditions and parameters on the two sides of the border, and increasing bureaucracy impede project work. Such developments hinder the strength of regional governance, which is principally very process-oriented.

In the past, 'Brussels' has always been blamed almost automatically for problems of this sort, but that cannot continue. At least, the European Parliament has recently commissioned a study intended to help prevent further 'gold-plating' (European

Parliament 2017). Behind this term – which is remarkably incisive of the EU – is the recognition that conditions that go beyond the original EU guidelines have been imposed on lower levels. A further sign that the problems are not necessarily located on the EU level is the lack of take-up of the good European ideas of the CLLD and multi-fund programmes. It seems clear that there are rather difficulties on the level of the federal states where the concrete programmes are formulated.

In the regions themselves certain adaptation strategies have emerged, especially among more experienced actors. On the operational project level those involved in the project often coordinate with one another, especially on an informal level, which seems to work. Such creative use of the instruments by local actors should be highlighted as a positive moment in the development of the range of programmes. It has been observed in both of the regions studied here, irrespective of the existence of language barriers and the area being part of a region with a particular need for action or not. The adaptation of project ideas to different priorities and orientations helps them to grow and develop richer content. Cross-border cooperation and learning occurs even when there are no funded projects to be found in the relevant statistics. In this context, the regional and LAG management hold key positions. They act as points of contact for those with ideas, help with the further development of such ideas, and provide contacts between actors. Furthermore, they undertake knowledge management, coordination and networking. The associated positive effects (which extend far beyond the project level) for the development processes in the region unfortunately often go unrecognised, no doubt also because they are indirect or only become effective in the medium or long term.

For municipal stakeholders in particular, it is the funding (amount and accessibility) that is of the most interest, while the management aspects are viewed as rather controlling. For actors from the administrative sphere it is more about doing things right than about doing the right things. It is thus mostly long-term participants from business and civil society who tend to follow a development path in the medium to long term and sustainable development in a comprehensive fashion. The European Union will need to continue to set the parameters for such development, giving regional management the necessary scope to manoeuvre but at the same time pointing them in the right direction. This requires a cross-programme regional strategy to help provide orientation to objectives, which is why the ‘One region – one strategy’ approach should be further pursued and linked to an advice centre in the form of a *one-stop shop*.

The particular challenge in the border areas will be linking strategies for cross-border cooperation with regional strategies like the regional development perspective or the local development strategy of LEADER. It is conceivable that the individual regional strategies on each side of the border could include a jointly drawn-up chapter on cross-border development. The content of this chapter would clearly need to fit with any higher level agreements and be negotiated between the various actors. These processes could be supervised and coordinated by regional management – assuming there are sufficient, adequately trained personnel. Another significant challenge will be to align these comparatively small-scale strategies with large-scale European macro-strategies.

As already implied, the aspects presented here do not represent final results – not least because this analysis was unable to give in-depth consideration to factors and constructs such as trust or power. Such issues need to be included in future studies.

Nonetheless, it seems clear from these findings that more trust can be placed by the programme authorities in the endogenous potential of the regions – not only because this would benefit the development of the regions but also because the funding instruments and thus the emergence of regional governance structures contribute to enhancing perceptions of the European Union on all levels. In times when countries are leaving the European Union (Brexit), the authors see this as a promising way to communicate a positive image of Europe to the regions where, in a best-case scenario, citizens live and breathe Europe and help to shape it.

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