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Switzerland and Cross-Border Cooperation



Considering the relatively small size of the Swiss territory, most of the inhabitants and public authorities are engaged in close relations with the neighbouring countries Germany, France, Italy, Austria and Liechtenstein to varying degrees. Even though the boundaries of the Swiss Confederation are the same since the Congress of Vienna 1815, particularly since 1945 functional cross-border relations have developed continuously in all regions; having resumed after the interruptions caused by the First and Second World Wars.

Due to the topography and spatial interconnections, different types of action and cooperation areas can be observed: regional-alpine in the

cantons of Valais and Graubünden, rural, large-scale in the Jura Arc, the High Rhine and Lake Constance, as well as three urbanized metropolitan areas in the Lake Geneva region, North-Western Switzerland, and Ticino. Of the 320 000 cross-border commuters (compared to 160 000 in 2012), 80 % are concentrated in these three metropolitan areas, more than half commute from France to Switzerland, and about 20 % from Germany and Italy. As a non-European Union (EU) country, Switzerland participates in a number of sectoral agreements (i.e. the Free Movement of Persons Agreement in the framework of the Bilateral I, 2002), in the European Single Market and in the Schengen/Dublin Association Agreements.

The borders with the neighbouring countries can be considered as highly permeable, this has to be taken into account in order to understand the dynamics of increasingly close cross-border relations. The Swiss system of division of power concedes Foreign Affairs to the Confederation which conducts intergovernmental agreements concerning special issues affecting regional matters, for instance in areas such as traffic, environment, energy, police, judiciary or disaster management. However, the 26 cantons possess, due to their quality as federated states, extensive competences and have the right to conclude agreements with foreign countries and to meet directly with lower ranking foreign authorities (Art. 56 of the Federal Constitution).

The foreign policy strategy of the Swiss Federal Council pays particular attention to the border regions. The Confederation organizes dialogues with the neighbouring countries France and Italy with the participation of cantonal authorities and is committed to consultative commissions in the Basel and Geneva area. Sometimes, the cantonal governments coordinate their cross-border activities at an inter-cantonal level, for instance by means of the eastern and north-western Switzerland Conferences of Cantonal Governments, of the Inter-Cantonal Coordination Office (IKRB) at the *Regio Basiliensis* or of the Association *arcjurassien.ch*. The Conference of Cantonal Governments has only a limited coordination role, for example in the Congress of Local and Regional Authorities of Europe at the Council of Europe. Since the local law is part of cantonal affairs, municipalities have, depending on the canton, the possibility to cooperate across the border. Some federal laws (Art. 7 of the Law on Spatial Planning, Art. 2 of the Law on Regional Policy) and some cantonal constitutions (Bern, Basel-Land, Basel-Stadt, St. Gallen, Graubünden, Ticino, Vaud, Geneva, Jura) demand explicit cooperation with foreign countries. Financially, the federal agglomeration policy supports cross-border agglomerations

in terms of constructing cross-border transportation infrastructure since 2001: *Grand Genève*, Basel, Mendrisiotto, Schaffhausen, Neuchâtel and others. On an international level, the Confederation and the Cantons participates in the legislative process of the Council of Europe (the Madrid Convention 1980 and its protocols). The Karlsruhe Agreement of 1996 is only effective in the cantons Basel-Stadt, Basel-Land, Aargau, Jura, Solothurn, Schaffhausen, Bern, Neuchâtel, Geneva, Vaud, Valais. Furthermore, Swiss institutions have the possibility to enter European Groupings of Territorial Cooperation (EGTCs) if at least one institution from an EU-member state is represented (i.e. the canton Basel-Stadt entering the EGTC Rhine-Alps-Corridor or the University of Basel co-founding the EGTC Eucor – The European Campus in 2015). The cantons are participating since the 1990s in EU funding programs like Interreg (the Confederation since Interreg II). Today, 20 out of 26 cantons participate in Interreg projects in the four program areas France-Switzerland, Upper Rhine, Alpenrhein-Lake Constance-High Rhine and Italy-Switzerland, as well as other programs like INTERACT, URBACT or European Observation Network for Territorial Development and Cohesion (ESPON).

Cross-border cooperation has been increasingly institutionalized since the 1960s (*Regio Basiliensis*) and especially the 1970s (Geneva, Upper Rhine, Lake Constance). The following types of cross-border cooperation may be distinguished.

A first type consists in urbanized metropolitan cooperation areas with their strong centres (Lake Geneva region and Basel/North-Western Switzerland). Overlapping levels of cooperation are characteristic for this type; the highly centralized French state is contractually committed. Agreements from 1973 (Geneva) and 1975 (Basel) have each respectively institutionalized a consultative commission and a regional committee: the joint consultative commission for regional problems between the canton of Geneva and the French departments of Ain and Haute-Savoie, and French-Genevan regional committee, as well as the French-German-Swiss Upper Rhine Commission and Upper Rhine Conference. Both platforms are dealing with a wide variety of issues, most of the time within the framework of technical committees, but also complemented by parallel organizations like the Lake Geneva Council, the Upper Rhine Council and the recent Metropolitan Conferences. Both areas focus on mutual coordination for planning infrastructure, sustainable use of resources as well as labour mobility. The EuroAirport Basel Mulhouse Freiburg

represents a special case, since this intergovernmental construction is entirely based on French territory but is jointly operated by France and Switzerland (1949). The Trinational Eurodistrict Basel, founded in 2007, is a platform for municipal cooperation that follows the Franco-German initiative of creating Eurodistricts on their border and the therefore also has a seat in the cross-border cooperation committee established by Art. 14 of the Aachen Treaty in 2019. It is based in a former customs platform which houses since 1993 the trinational cross-border information and counselling centre, the *Informations-und Beratungsstelle* (INFOBEST) Palmrain.

The canton of Ticino with its centre Lugano is under the influence of the metropolitan area of Milan. The platform Regio Insubrica was founded in cooperation with the neighbouring Italian provinces in 1995. Because of the strong socio-economic asymmetries, it acquired a new dynamism only in 2015 and focusses today on economic and environmental issues.

Several other structures have been developed in the Jura Arc, on the High Rhine and at Lake Constance as well as on the Alpine Rhine and the Alps region: the Jura Association (1985, since 2001 the Trans-Jura Conference), the High Rhine Commission, a grouping founded under the Karlsruhe Agreement of 1997, as well as the International Lake Constance Conference (IBK) of 1972, an organization that originally dealt with environmental issues, but is now treating a wide variety of topics from education, culture, traffic, economy until health. The Lake Constance Council (1991) concentrates on economy, politics and culture in the same area as the IBK. Other cooperation forums exist in the Alps region: the Alpine countries association (1972), the Western Alps association (1982, since 2006 the Alps–Mediterranean Euroregion), the Mont-Blanc Space (1991) and the EU macro-regional Strategy for the Alpine Region (EUSALP) (2009).

Cross-border cooperation falls on good soil in a country marked by its federalist division of power: cantonal, regional, local and private partners experiment across the external border, though depending on the division of power within the neighbouring countries. The objectives of the different cooperation areas are very similar in terms of their objective to overcome the inherent ambivalence of border areas. On the one hand, border obstacles shall be overcome, on the other hand, existing potential for development shall be used – the location competition with other European and non-European greater areas is an important factor. Border

regions are laboratories for the development of a wide range of structures that are serving these causes. Some have a legal personality, others have considerable financial resources and all of them have a different range of tasks. Some have been founded with enthusiasm, others are soon forgotten. Informal contacts develop across borders between economic associations, social partners and the commitment of individuals in general. Those factors prevail over the significance of the legal bases that use many resources and need real delegations of cross-border competences. Innovative approaches and a democratic basis, as well as solid funding are the key factors for a successful cross-border cooperation with sustainable institutions and prosperous projects.

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