



Limits for successful cross-border governance of environmental (and spatial) development

The Lake Constance Region

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- 4 national states
- 10 regions (Länder/
Kantone)
- 41 districts (Landkreise/
Bezirke)
- 528 local authorities

- living area for 3.6 mio
people (300-700 E/km²)
- reservoir of potable water
for more than 6 mio
people
- recreation area for more
than 10 mio people each
year

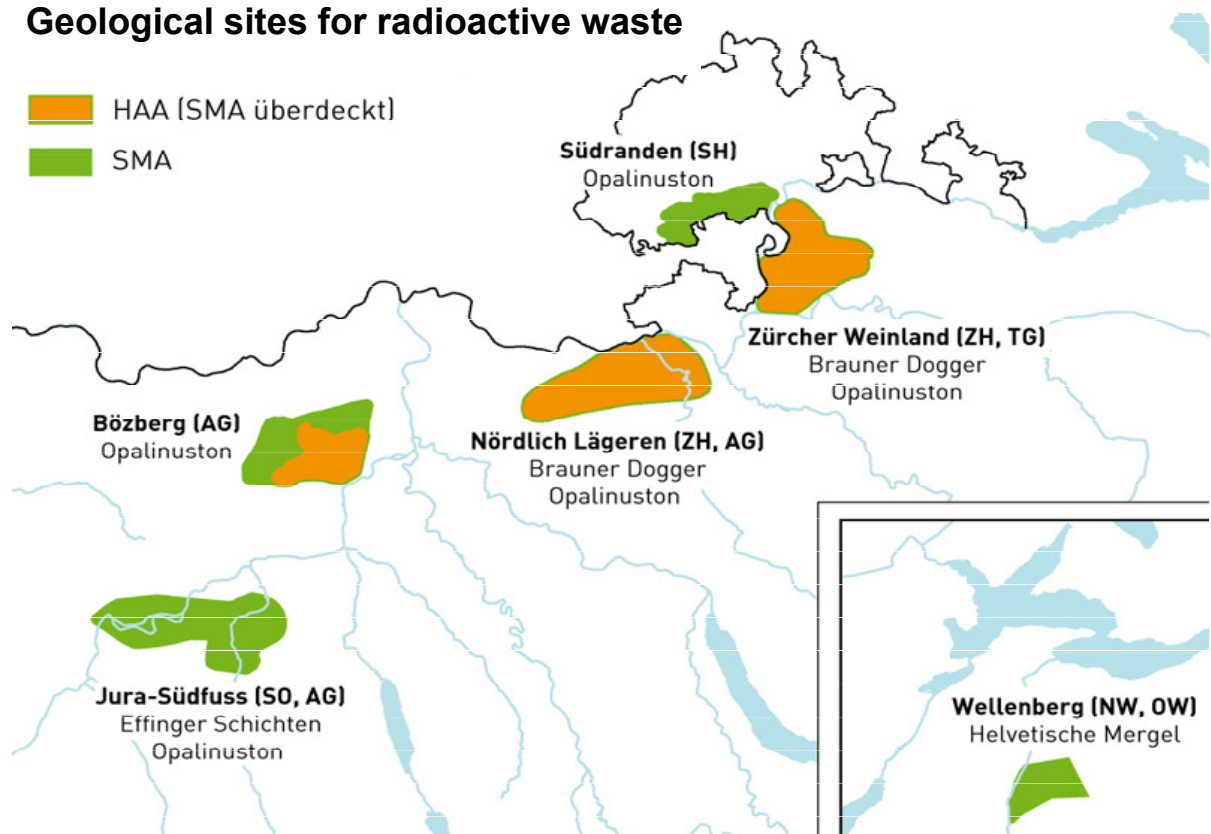
→ more than 400 cross-border institutions



Conflicts are increasing ...

Geological sites for radioactive waste

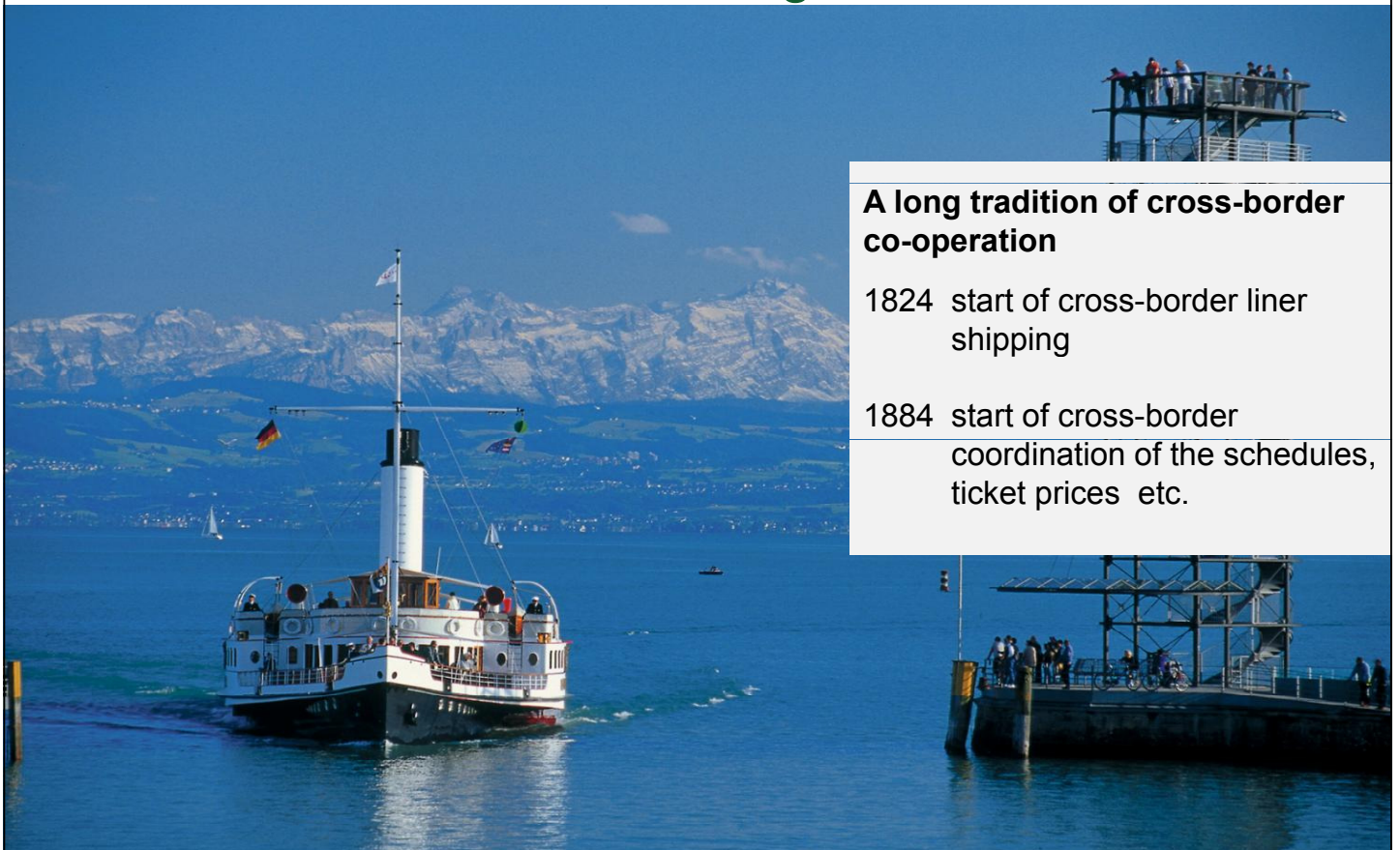
- HAA (SMA überdeckt)
- SMA



THESIS:

Cross-Border governance systems, like in the Lake Constance Region, show only limited capacities in solving cross-border conflicts with influence on the regional spatial /environmental development.

The Lake Constance Region



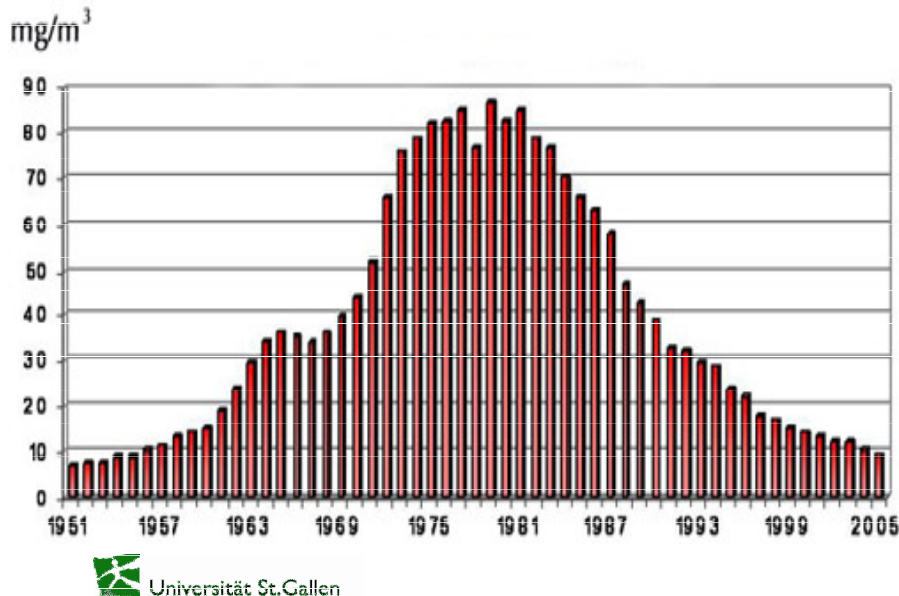
A long tradition of cross-border co-operation

- 1824 start of cross-border liner shipping
- 1884 start of cross-border coordination of the schedules, ticket prices etc.

The Lake Constance Region

Four phases of cross-border co-operation

1. The phase of formation (1850-1918)
2. The phase of environment (1955-1975)



Total phosphorus in the Lake Constance 1951-2005

Source: IGKB (www.igkb.de, 28.05.2010)

The Lake Constance Region

Four phases of cross-border co-operation

1. The phase of formation (1850-1918)
2. The phase of environment (1955-1970)
3. **The phase of planning (1970-1990)**
 - foundation of the IBK and the Euregio Bodensee;
 - first international concept for the Lake Constance region ("Internationales Leitbild für das Bodenseegebiet")

The Lake Constance Region

Four phases of cross-border co-operation

1. The phase of formation (1850-1918)
2. The phase of environment (1955-1975)
3. The phase of planning (1970-1990)
4. **The phase of awakening (1990-2000)**
 - new momentum due to INTERREG-programs;
 - intensification of co-operative activities,
 - foundation of new cross-border institutions (regional Council, Council of Environment, strengthening of the IBK);

The Lake Constance Region

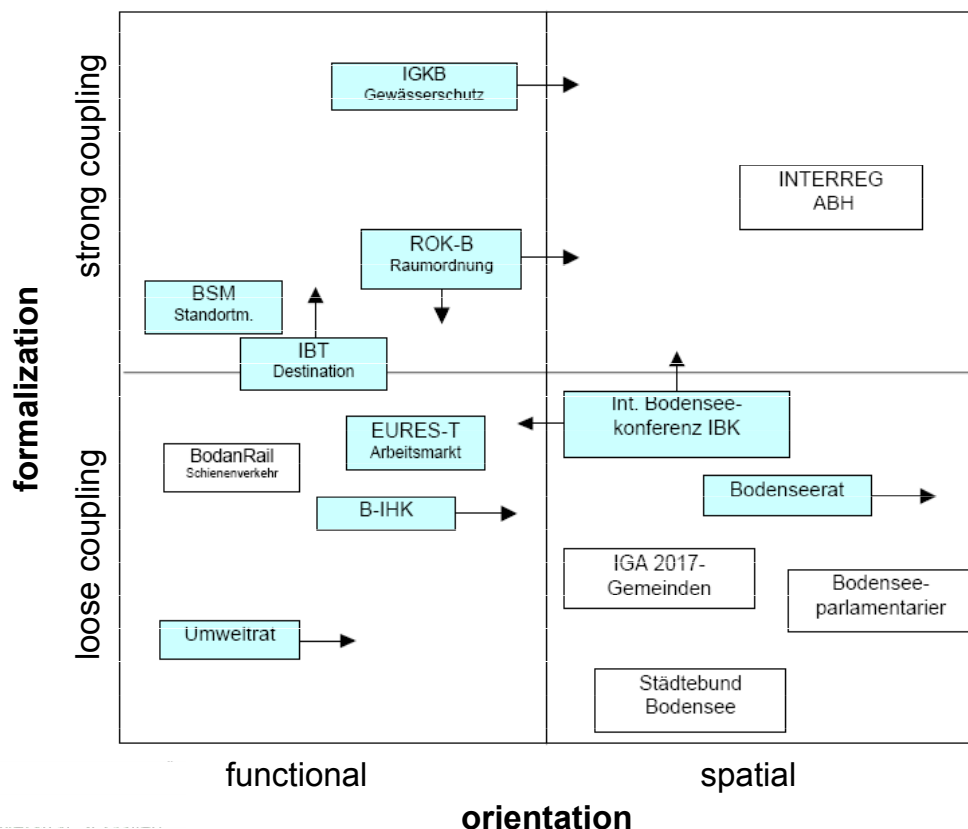
Four phases of cross-border co-operation

1. The phase of formation (1850-1918)
2. The phase of environment (1955-1975)
3. The phase of planning (1970-1990)
4. The phase of awakening (1990-2000)
5. **The phase of networking (2000-)**
 - strong project-orientation;
 - regional Agenda 21 process plus INTERREG;
 - increase of informal and not-institutionalized networks;

FAZIT 1

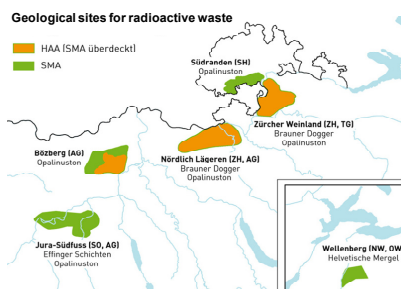
Cross-Border Co-operation in the Lake Constance Region was always and still is strongly based on the common utilization of the common good "Lake Constance" as well as on the necessity to coordinate its utilization to avoid negative effects of an over-utilization. A common regional identity does not really exist. The lake constitutes a barrier and a contact-zone at the same time.

The institutional setting – "governance system"



Environmental issues in the governance system

- No corresponding political arena for environmental cross-border problems;
- Lacks of hierarchical decision-making systems;
- Environmental problems as driving force for cross-border co-operation;
 - focus on water quality and the common utilization of the lake;
- From a problem-based approach to a systemic understanding (mainly due to the International Commission for Water Protection of the Lake Constance);
 - a more encompassing and integrative protection approach of the lake,
 - environmental issues as an integral part of the regional development especially of its spatial development;
- BUT: some questions of strong environmental relevance have consequently been neglected!

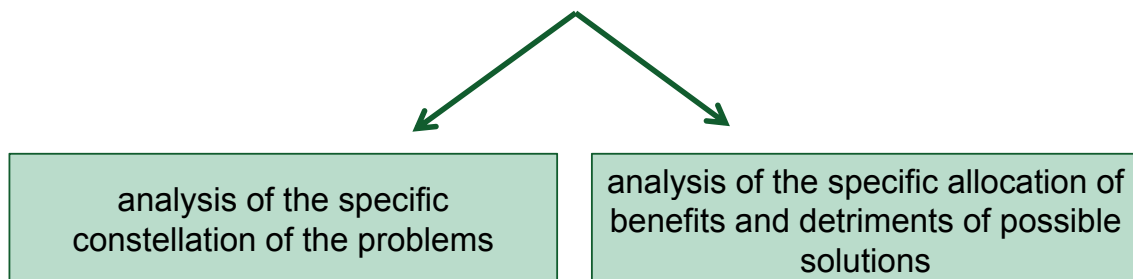


FAZIT 2

The current cross-border governance system shows limited capacities to deal with cross-border conflicts.
Corresponding strategies, how to deal with such conflicts, are still missing.

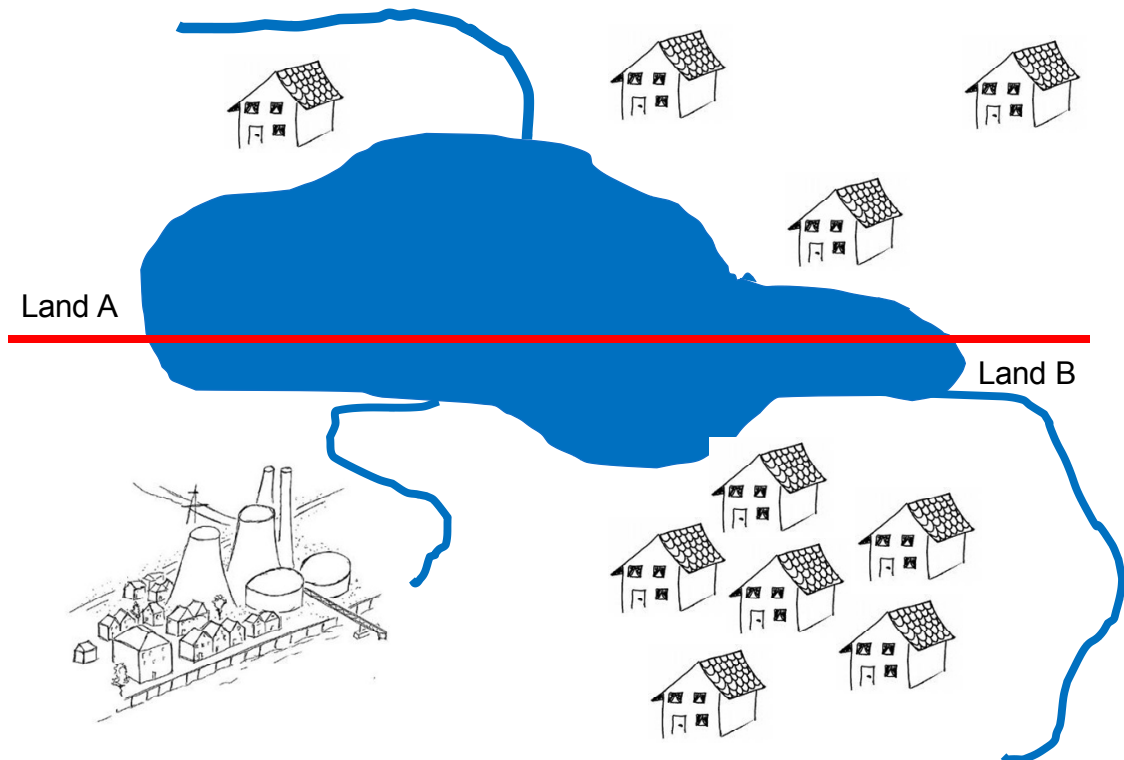
Conflicts in cross-border governance systems

- The capacity to solve cross-border (environmental) conflicts is strongly depending on the specific constellation of the involved partners.
- Also the allocation of induced benefits and detriments of potential solutions is of significant influence.
- Not every cross-border problem has to result in a cross-border conflict.



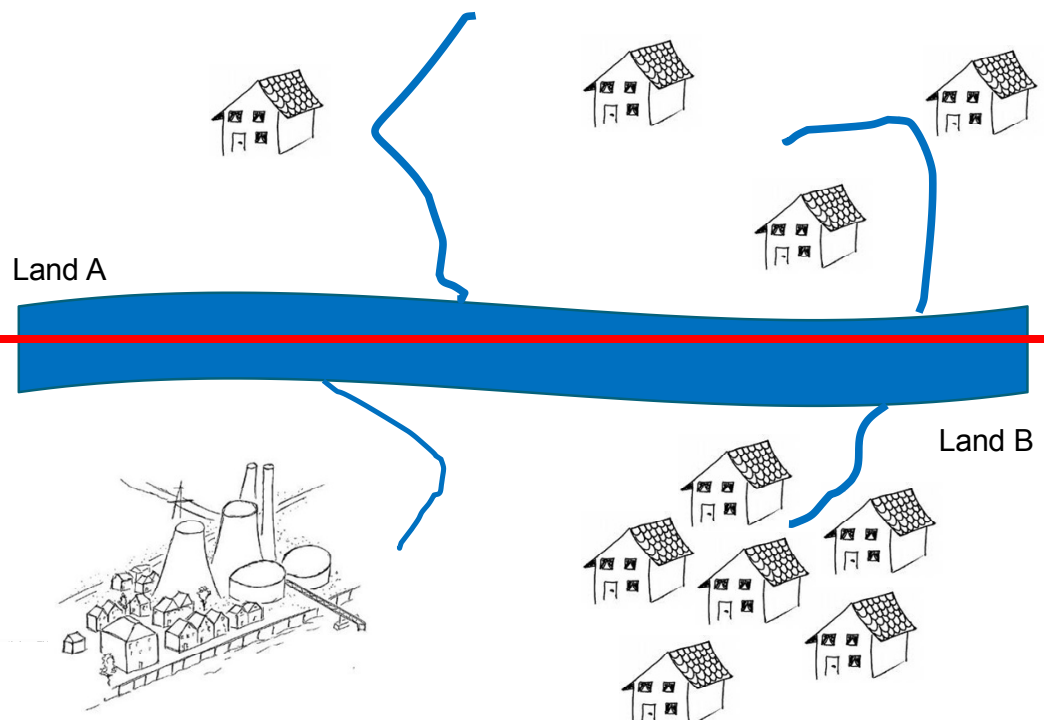
Symmetric Constellation "Common Good"

→ common problems



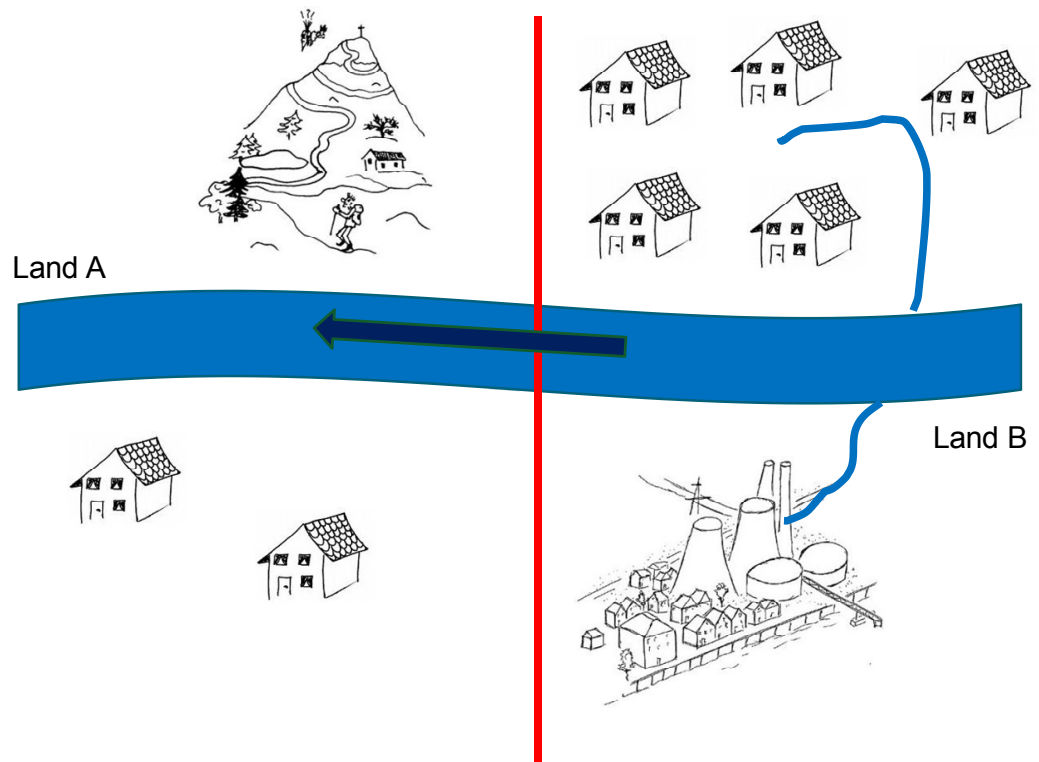
Symmetric Constellation "Neighbours"

→ same/ similar problems



Asymmetric constellation "One Way"

→ unilateral problems



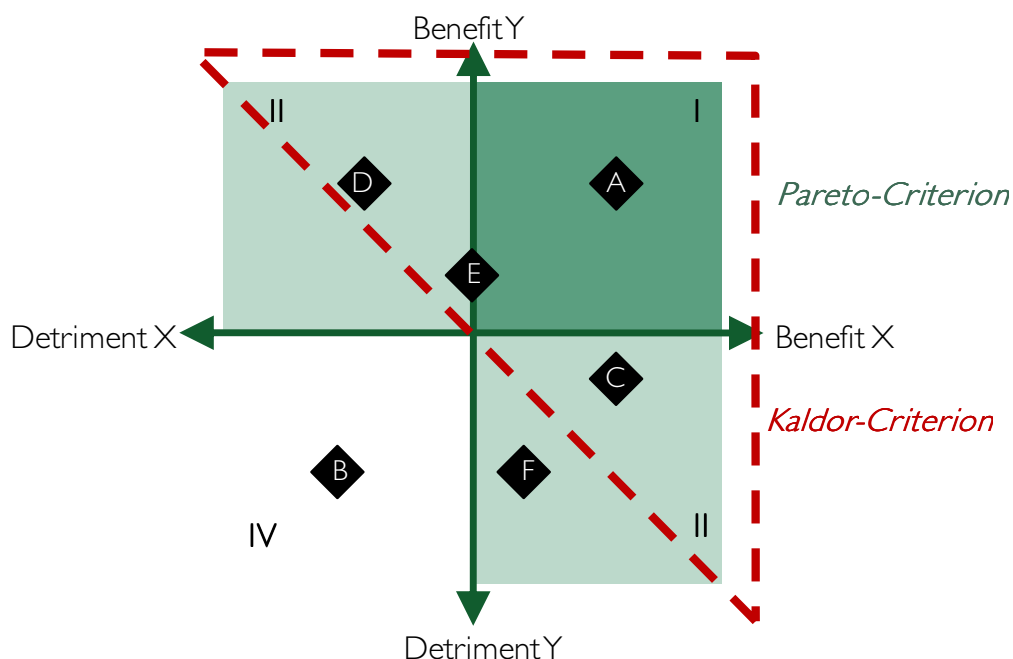
Problems – Conflicts – Conflict-Solving

problem- constellation	potential for conflict	capacity for conflict- solving
"Common Good"	common problems	high
"Neighbours"	same problems	high
"One-Way"	unilateral problems	low

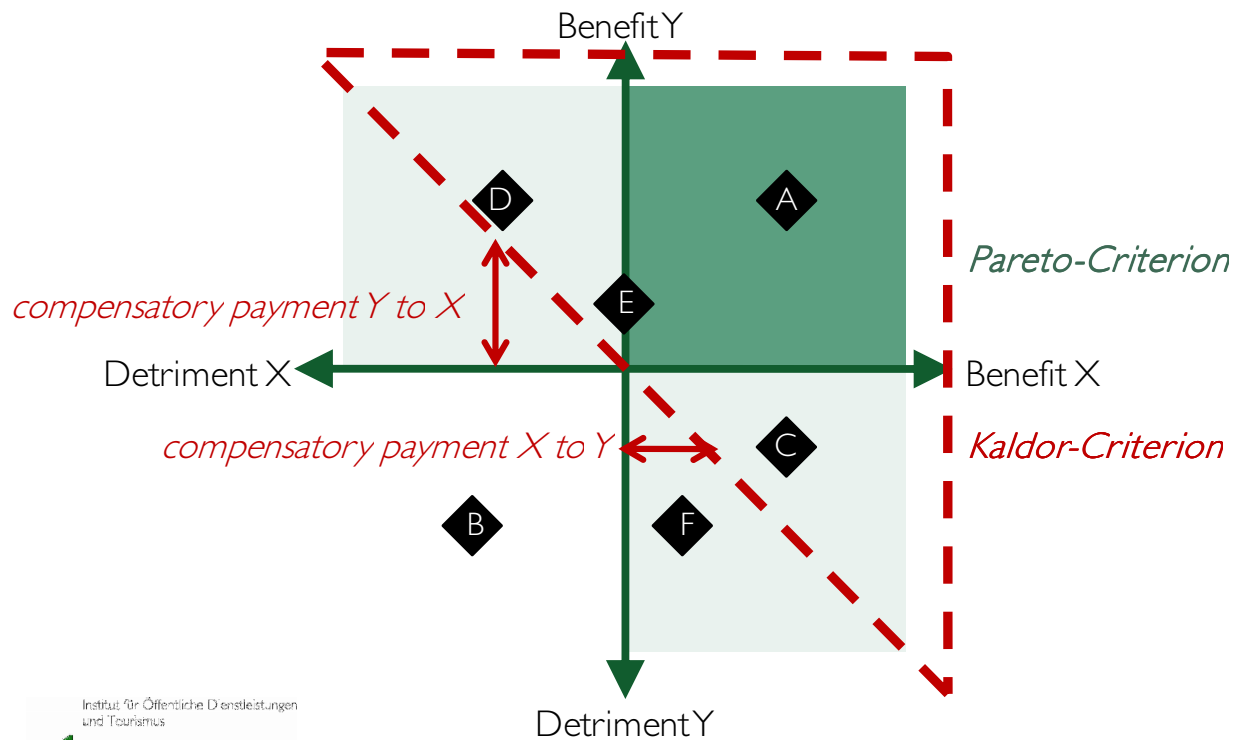
FAZIT 3

Cross-border problems do not necessarily become cross-border conflicts. Especially by the problem constellation "Common Good" co-operative solutions are often found quite fast. In contrary, unilateral problems in the constellation "One Way" may end in severe cross-border conflicts and need specific strategies to get solved in the framework of the cross-border governance system.

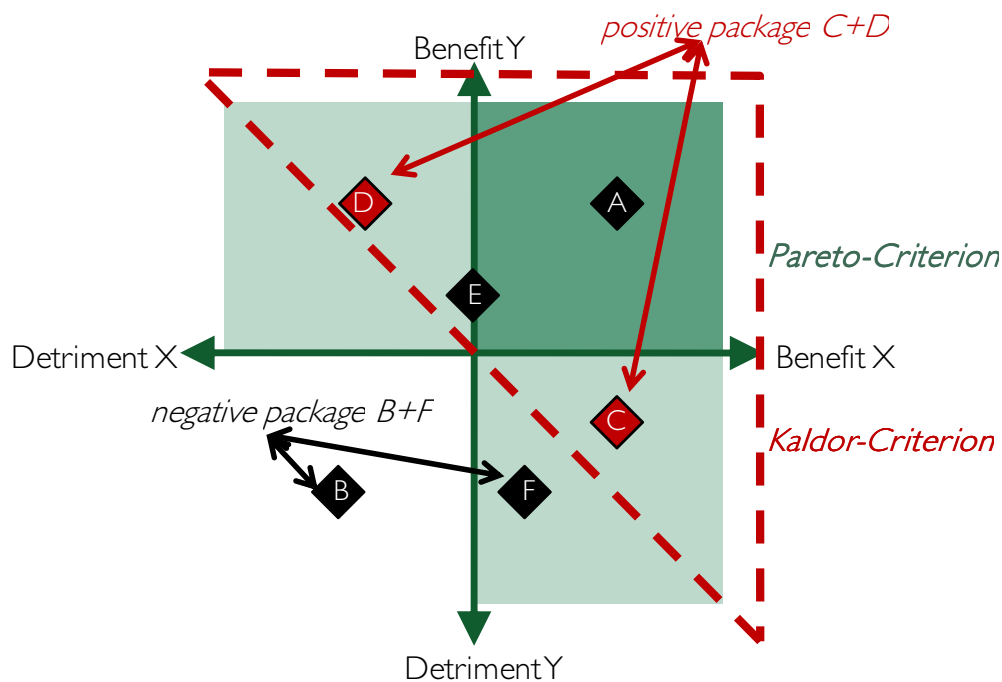
Game Theory - assessment of possible solutions



Game Theory - assessment of possible solutions



Game Theory - assessment of possible solutions



Strategies for Dealing With Cross-Border Conflicts

Avoidance of conflicts

- by legally binding regulations for example for the (spatial) development - for all partners in the same way;
- by a politically legitimated umbrella organization with strategic competencies;

Handling of conflicts

- by changing the political arena in the framework of the cross-border co-operation horizontally or vertically;
- (by traditional decision-making in hierarchical ways);

Solving of conflicts

- by changing the cross-border cost-benefit ratio by compensatory payments;
- by changing the cross-border cost-benefit ratio by package deals;

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FAZIT 4

Cross-border environmental conflicts can be solved.
Decisive factors for successful solutions are (i) an understanding of the specific problem-constellation and its allocation of benefits and detriments as well as (ii) in consequence an orientation on the total benefit of the region instead of a partial perspective. For this reason a (structurally based) way has to be found to explicitly change the asymmetric allocation of benefits and detriments (e.g. package deals, compensatory payments).

Avoidance of Conflicts by Strategic and Binding Regulations



Handling of Conflicts by changing the arena



Solving Conflicts by Changing the Cost-Benefit Ratio (compensatory payments)



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