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The Portuguese, Slovenian and French Presidencies 2007-2008 - A Sea Change in European Spatial Planning?

Andreas Faludi

Abstract

This paper gives an account of the successive presidencies of Portugal, Slovenia and France. It asks whether European spatial planning is undergoing a sea change: a transformation caused by the unintentional cumulative impact of pragmatic organisational changes. The paper also invokes the notion of a 'two-level game' to characterise the situations in which European planners constantly have to look over their shoulders to how their own national constituencies operate. Against this backdrop, the paper establishes that, albeit under the territorial cohesion flag, there has indeed been a sea change in the institutionalisation, not in a formal but rather in an informal sense. The new arrangements feature semi-permanent working groups with a lifespan extending beyond presidential terms. In addition there is now substantial member state input, with meetings of the National Territorial Cohesion-related Contact Points the functional equivalent of the Committee on Spatial Development from the ESDP era. The professionalism of the whole process, in which one can safely assume that close to one hundred experts from all over Europe have taken part, is clear and particularly so since the Portuguese Presidency where focus was placed on the plans and ideas of the Commission, in particular the Green Paper on Territorial Cohesion, and on territorial cohesion policy as giving strength to cohesion policy as such. This emphasis – other than under the German Presidency – on cohesion policy is not really surprising. Portugal is one of its beneficiaries. Slovenia is the paragon among new member states and one of the chief priorities of its presidency has been to launch the discussion on the Lisbon Strategy – now the umbrella under which EU cohesion policy comes – post-2010. France regards itself – rightly – as a leading light in regional policy and planning: Indeed it practically invented EU cohesion policy. This all makes the renewed focus on EU policy understandable and augurs well for a more cooperative relationship in future between the member states and the Commission in this area.

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Introduction

Faludi (2007a) sees the Territorial Agenda (2007) of May 2007 as a turning point in European spatial planning. In Faludi (2009), he expands upon the context and takes the story up to the First Action Programme (2007) and its follow-up under the Slovenian Presidency, giving indications also as to French plans for the second part of 2008. Based on personal observations, exchanges by e-mail with the key actors involved, interviews and documentary evidence, this paper takes the story further. It also posits that – albeit under the territorial cohesion flag – the institutionalisation of European spatial planning is undergoing a sea change, by which is meant a transformation caused by the unintentional cumulative impact of pragmatic organisational changes.

Sources, context, theoretical framework

The Portuguese Presidency has seen to it that all of the representations by the member states as well as those of the other stakeholders at the Azores have, in addition to the Presidency Conclusions, been made available, although this was not done for the working documents. The Slovenian Presidency did not hold a Ministerial, but it organised several meetings and, under a commitment entered into under the Action Programme produced a formal summary report (Slovenian Presidency 2008a). The French Presidency produced a short summary – not in the public domain – of the proceedings of the Ministerial at Marseille in November 2008 but, other than with previous Ministerials, there are no Presidency Conclusions, otherwise the authoritative record of such meetings. However, the author is in possession of this and, in addition, many other working documents.^{i ii}

The context of the events described is the implementation of the Territorial Agenda. Parallel to this, the Commission published the Green Paper on Territorial Cohesion (CEC 2008) and at Marseille this was on the agenda. The Green Paper as such is not, however, the topic of this paper. The broader context is the decade-long struggle, one that has in fact gone on ever since the first steps taken towards European integration, for spatial planning to play a role (Faludi 2007b).

The issue discussed being whether the institutionalisation of European spatial planning is undergoing a sea change, it is relevant to ask what is meant by institutionalisation and also whether, if indeed there has been a sea change, it is the outcome of purposeful design.

Answering the last question helps in answering the first: Nobody has stated the intention of strengthening the institutionalisation of European planning as such. As with much institutional change, purposeful design is thus not what the story is about. Rather, decisions as to how to pursue the Territorial Agenda have been taken in piecemeal fashion. However, the contention is that between them – and this relates to what institutionalisation as such stands for – these decisions have led to a broadening and stiffening of the basis of European planning. This has resulted in opportunities for more frequent exchanges, drawing more players with different backgrounds into a process of mutual learning. As a consequence, shared normative patterns and expectations were strengthened, which is what in essence institutionalisation stands for (Salet, Faludi 2000, 7; Waterhout 2008, 18-19). By evoking massive interest, the consultations in respect of the Green Paper on Territorial Cohesion, otherwise as indicated previously outside the scope of this paper, suggests that the situation has indeed changed for the better.

This is important because of a crucial debate taking place on EU territorial cohesion policy. In that debate the issue of the formalisation, after more than twenty years (the first one took place in 1989) of the Ministerials as a formation of the Council of Ministers has at least been raised. If it came to this – a doubtful prospect – then the institutionalisation of European planning would enter a new phase, that of the establishment of a regime (Salet 2000, 18-20). This would strengthen the hand of the Commissioner and the Directorate-General REGIO responsible *vis-à-vis* others. This is not, however, the occasion for elaborating either on this or on previous efforts to settle formal issues. The point is to introduce a second notion invoked in this paper, namely that, as with debates of EU policies more generally, the debate on territorial cohesion is a combination of various 'two-level games'.

The term 'two-level game' coined by Putnam (1988; 1993) highlights the constraints under which international negotiators take place, so much so that agreements can only be brokered if they result in domestic benefits. Conversely, where there is opposition from domestic stakeholders, negotiators are hamstrung.

Before going on, it is worth pointing out that Putnam's intention was to arrive at a testable theory of the ratification of international agreements. If that were to be the intention of this paper, then it would have to work towards testing propositions derived from this notion, treating the developments described as experiments proving or disproving them. The present paper however merely invokes the notion as a source of inspiration. Putnam (1993, 437) recognises that his two-level game notion can be invoked in such a way. Discussing the accession negotiations of Austria, Finland, Norway and Sweden, Goldmann (2001, 160), too, invokes it as a guide for analysing his cases, and not as a hypothesis subject to rigorous testing.

In this spirit, the two-level game metaphor draws attention to the role of national actors other than the planners, for instance ministries of economic affairs and/or finance dealing with the Structural Funds, being the arena in which European spatial planning operates. Discussing money, these other ministries have the ear of politicians. Where, as is frequently the case, they perceive planning as a constraint, there the planners have a tough job. There are other interested ministries, too, for instance ministries of transport and the environment. In planning jargon, they are described as sectors. Because of the existence of these sectors operating in the same arena, each with its own agenda, when meeting their peers in the European arena to negotiate on a common strategy, planners have to look over their shoulders: hence the notion of a two-level game.

The two-level game in European spatial planning is even more complicated than the single-issue negotiations for which Putnam originally developed the concept. In the EU, there are many negotiations taking place, and the setting is an additional factor to consider. There are Commissioners and directorates-general looking after certain policies, and they sit at the negotiating table. Naturally, they have concerns of their own, and they, too, have to look over their shoulders. The reason is that the 'turf wars' at the national level have their equivalents in Brussels where other directorates-general represent the same sectors, namely, transport, environment, employment etc. The upshot is that there are two two-level games being played out here: the one in which Putnam's international negotiators are trying to thrash out a common position, each with a domestic

audience to bear in mind, interacting with representatives of DG REGIO. Those other directorates-general in turn have their domestic audiences to consider, which may be equally sceptical about planning as the audiences of the national planning experts. Figure 1 depicts this situation as two intersecting triangles. One triangle has its base in the member states, and an inverse one in the Commission services. A third triangle represents the national sectors looking over the shoulders of the national planners concerned with European affairs.

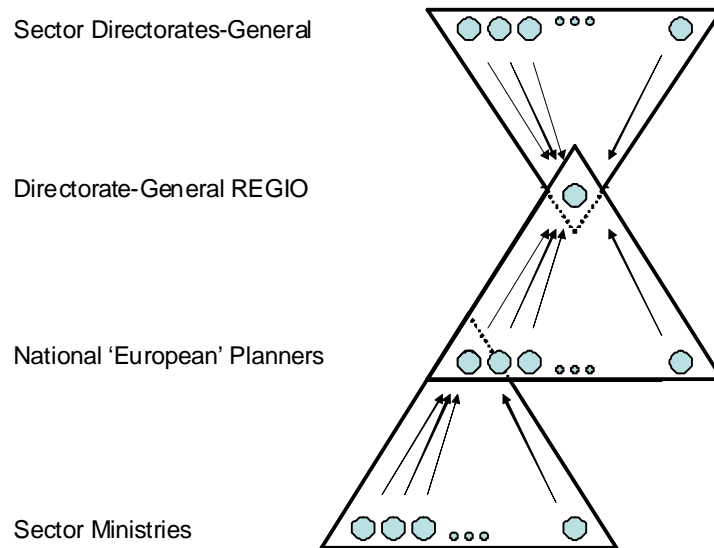


Figure 1: Nested Two-level Games in European Spatial Planning.

This is not all. The point of intersection between the inverse triangles is not the only point of contact between the domestic and the EU level. Many national sectors form coalitions of their own with their counterparts at the Commission, thereby mutually strengthening their respective positions. So the inverse triangles in question are enmeshed in a wider network of relations. Some of these links not appearing in Figure 1 are nevertheless very strong. The agricultural sector, for one, is very good at presenting a common front. As against this, the link between national planners and their Commission counterparts is unfortunately still weak. There are two reasons for this. One is that the positions of both as regards their own constituencies are weak. The other is that, as national planners mistrust Commission intentions, there has been much conflict in the past. It would be highly interesting, nevertheless, for planning to have a strong presence at the EU level.

The two-level game in European planning has a veritable lineage. This paper, dealing with three successive recent EU presidencies however, deals only with a short episode in this lengthy history. During this episode, little reference has been made to DG REGIO representing the 'upper level' in the game. The developments to be reported took place mainly between planners from the member states. As usual the Commissioner was present at the Azores and Marseille Ministerials. Also, the ongoing debate about the future of EU cohesion policy and in particular the threat of its 'renationalization', with

the repatriation of cohesion policy into the domain of national policy was a reference point throughout these discussions. The point is, during the period considered, there were no major conflicts between national planners and DG REGIO.

The only exception to the rule of little Commission involvement was the speech by Commissioner Danuta Hübner at Marseille presenting the ‘Green Paper on Territorial Cohesion’. Here she gave indications as to the Commission’s thinking about the future of territorial cohesion policy after the Green paper and raised – not for the first time, because she had done so already at the Ministerial at the Azores – the issue of a Council formation for cohesion policy. However, once again at the time there was no indication of conflict between the Commission and the member states. Conflicts may occur later, if and when the Commission proposes EU legislation under the Community method in pursuance of a competence for territorial cohesion shared between the Union and the member states once the Treaty of Lisbon is ratified. Indeed, it would very much be in the tradition of the past twenty years when member states had been sceptical about a Commission role in matters of planning for such a conflict to occur.

Hopefully though, this is where a sea change could be observed. When in 2006 and early-2007 the future of the Constitution hung in the balance, the experts involved in constructing the Territorial Agenda pleaded for the Commission to take a stronger position as regards territorial cohesion policy (Faludi 2009). This already suggests a more positive attitude towards an EU role, based on the recognition of a mutual interest in cohesion policy more generally, and territorial cohesion policy in particular as the arena in which, if at all, European planning can take place. The significance of the sea change, if indeed any such change has taken place, is that it has sustained and strengthened this feeling of a common interest in the matter.

As to the structure of the paper, the Portuguese initiated the developments described. Their presidency as such already having been covered in Faludi (2009), the focus is on the decisions relevant to the institutionalisation of European planning. The Slovenian and French Presidency both built on this. Their role will form the topic of the two sections that follow. It is still early days, but at least the work programme of the Czech and Swedish Presidencies can be presented, together with glimpses as to activities up to the Hungarian Presidency of 2011. The conclusions review the question of whether there has indeed been a sea change.

Portuguese Presidency

As an instance of how the domestic situation shapes the position of national planning experts, two separate sections of the same ministry, each with different outlooks and traditions were in charge of preparing the Azores Ministerial. The second day concerned regional policy while the first saw discussion of the First Action Programme, the province of the Directorate-General for Spatial Planning and Urban Development with some old hands in European spatial planning animated by a junior minister with an academic background and experience in planning research. This team approached its task with much enthusiasm. The previous paper has already commented on the professionalism with which it prepared meetings and the impression which this made as compared to the less well-structured, but politically no less important discussion on cohesion policy and its future.

There is no indication as to any conflict between the two groups. They played to different audiences. The regional policy makers were dealing with the Structural Funds, important as they were to Portugal. So they had to coordinate their work, in particular with the ministry of finance (their former home base), but also with a team dealing with the Framework Programme for European research – an important aspect of present-day regional policy focusing on innovation. The spatial planners had no such worries but one gains the impression that, by undertaking a major effort they were hoping to bolster their domestic position – not uncommon as a strategy in two-level games under which international recognition forms a resource in future bureaucratic struggles.

What the previous paper did not anticipate, and with this the discussion turns to the theme of the sea change, is the impact of the First Action Programme. This concerned the activation of the National Territorial Cohesion-related Contact Points (NTCCPs) as a kind of sounding board and in particular the formation of working groups to deal with each of the actions listed in the programme. What was not clear at the time but is becoming evident now is that the NTCCPs and the working groups would not be like the *ad hoc* arrangements characteristic of the Territorial Agenda process. Rather, one is reminded of the ESDP days when the Committee on Spatial Development (CSD) met generally twice per presidential term, with many *ad hoc* working meetings in between. Membership of the working groups is now wider and, importantly, unlike previously - in the days of the CSD - progress no longer depends on logistical support from the Commission. The member states appear to be both willing and able to send delegations to meetings of the NTCCPs, and the working groups are also well attended, if not by representatives of all, but then at least a number of member states, with, depending on the topic, some sending more than one representative so that in fact, and in an albeit limited way, the logic of the two-level game permeates the working groups.

These working groups were set up as a direct result of the adoption of the First Action Programme. It was for the purpose of preparing it that the NTCCPs discussed various drafts. To appreciate what the working groups are about, one needs to look at the structure of the Action Programme. It started by re-stating the political commitment entered into at Leipzig in May of that year. (Table 1).

Table 1: Political Commitments

1. Implementing the Territorial Agenda in the various areas of competence
2. Influencing EU key dossiers
3. Giving a territorial/urban dimension to sector policies
4. Strengthening multi-level territorial governance in the EU
5. A communication and awareness-raising strategy concerning territorial cohesion
6. Understanding the territorial state, perspectives, trends and impacts
7. Coordinating and monitoring the First Action Programme implementation.

Source: First Action Programme (2007).

What followed was an outline of the evolving context, including the adoption of the Lisbon Treaty scheduled to take place in December 2007, only days after the Azores Ministerial. As the reader is no doubt aware, the Lisbon Treaty is still to be ratified, admittedly only by less than a handful of the twenty-seven member states, but at the time of the Ministerial such problems could not have been foreseen.

The second section of the Action Programme identified guiding principles for the implementation of the Territorial Agenda that were but a reflection of the principles underlying European spatial planning/territorial cohesion policy: Solidarity between territories; multi-level governance; the integration of policies; cooperation on territorial matters; and subsidiarity. The third section dealt with the purpose, the timeframe and the scope of the Action Programme. There the Action Programme reviewed the list of EU dossiers to be discussed according to the Territorial Agenda, adding three more and removing others from the list. As regards the territorial impacts of climate change, one of the themes included, the meeting made an immediate input into the debate by adopting a contribution to the ongoing public discussion on the Green Paper 'Adapting to climate change in Europe – options for EU actions' (CEC 2007a).

Based on the above, the fourth section specified five lines of action that were to provide the structuring elements for the further work. (Table 2) They reflected the political commitments as outlined above.

Table 2: Lines of Action

1. To implement the Territorial Agenda
2. To influence EU key-dossiers
3. To strengthen multi-level territorial governance
4. To compare and assess the territorial state, perspectives, trends and impacts
5. To coordinate and monitor the First Action Programme implementation

Source: First Action Programme (2007)

Under each line of action came a list of concrete actions for which responsibilities were allocated. Annex 1 included more than a dozen ‘Action templates’ indicating the lead partners, with some spaces left blank. Only months later under the Slovenian Presidency more templates were filled in and working groups were formed. This is the topic of the next section.

Slovenian Presidency

The Slovenian planners had taken it upon themselves (see Faludi 2007a; 2009) to bring the Territorial Agenda and the Leipzig Charter before the spring meeting of the European Council, with the prospect for European spatial planning gaining some form of recognition. In addition, Slovenia’s aim was to retain the momentum created at Leipzig and at the Azores and to ensure that the First Action Programme, at that time still very much under construction, got off the ground. The Slovenians did so with limited resources in terms of personnel and finance. Slovenia is one of the smaller member states, in terms of population more or less in a league with the Baltic States, and the planners had also to observe the general priorities of the Slovenian Presidency. In a letter dated 15 January 2008 (Slovenian Presidency 2008b), the Slovenian Presidency announced the schedule of planned meetings (Table 3).

Table 3: Meetings under the Slovenian Presidency

- 6 February: National Territorial Cohesion-related Contact Points (NTTCPs) (Slovenian Permanent Representation, Brussels)
- 18-19 March: EU Working Level Meeting on Territorial Cohesion and Urban Development (including NTCCPs and Urban Development Group; Brdo, Slovenia)
- 14-15 May: Directors-general on Territorial Cohesion and Urban Development (Brdo, Slovenia)
- 2-3 June: ESPON Seminar (Protorož, Slovenia)
- 16-18 June: European Forum for Architectural Policies and Urban Regeneration (Ljubljana, Slovenia)

Source: Slovenian Presidency (2008b).

The letter recalled the commitment as described concerning the agenda of the European Council, stating that current activities in this regard were “very intensive”. However, the reference to territorial cohesion in the conclusions of the European Council of March 2008 turned out to be less extensive than had been expected. The Territorial Agenda as such received no mention at all. Instead, there was one bland sentence reiterating what is in the Treaty of Lisbon. Accordingly, the European Council “emphasises that economic, social and territorial cohesion also contributes to fulfilling the objectives of the renewed Lisbon Strategy [. . .]” (European Council, 2008).

The overall priorities of the Slovenian Presidency help to explain this meagre outcome. They were: the future of the Lisbon Treaty; the Western Balkans; the Lisbon Strategy; the energy-climate package; and stimulating intercultural dialogue. A second factor was the position of spatial planning. According to the ‘Slovenian Presidency Report on activities in the field of territorial cohesion and urban development’, the relevant messages derived from the Territorial Agenda and the Leipzig Charter had been: the role of territorial diversity in implementing the Lisbon Strategy goals and, within this context, the importance of the territorial dimension of sector policies, as well as the contribution of cities and urban areas to the competitiveness of the European territory (Slovenian Presidency 2008a, 2). These messages did not however get through. Communicating the concept of territorial cohesion was difficult, so suspicion as regards its implications for the allocation of funds under EU cohesion policy was ripe. For similar reasons, recipients of the Structural Funds, like Spain and Italy, were also suspicious about the ESDP and its implications for their funding allocations (Faludi, Waterhout 2002). This is where the position of spatial planning, both in Slovenia as well as in other member states in the two-level game came in: As elsewhere, Slovenian planners were not in charge of cohesion policy and had to negotiate with others. The position of spatial planning as such is of course weak in most member states, so when it came to preparing the European Council – with, as usual, the Permanent Representatives Committee known by its French acronym as COREPER forming the arena for discussion – it was not the spatial planners who were involved. Rather, their depositions had to go through the sieve of interdepartmental negotiations. The upshot of all this was that there was insufficient support for taking a stand on spatial planning/territorial cohesion policy.

As an added complication – as will become evident when discussing the French Presidency this is more generally true – time was short for engaging in the interdepartmental coordination that would have been necessary in each member state for the planners to play their part at the domestic level of the two-level game. So the Territorial Agenda did not really penetrate the European Council agenda.

In a less illustrious setting than the European Council, the ‘Conference on the future of cohesion policy’ at Maribor in April 2008 did, however, discuss it. There it was the Government Office for Local Self-Government and Regional Policy and not the planners that took the lead, but territorial cohesion was nevertheless an important element in the equation. Two alternative proposals were: territorial cohesion requiring specific interventions and policy tools; and territorial cohesion standing for an integrated approach to policy making, requiring the complex, multidimensional and sometimes conflicting objectives of other EU and national sector policies to be squared with cohesion policy, “in a common framework taking into account the territorial dimension” (Slovenian Presidency, 2008c, p. 5). The latter seems to have been the dominant view. Maribor was the first occasion also for the French Presidency to lift the veil over its definite plans by announcing that, other than had previously been thought when Strasbourg was in the picture, the venue would be Marseille.

Maribor was not the only instance of the Slovenes doing good work. One of their pragmatic goals had been to ensure that the First Action Programme really got off the ground. Here, they achieved a great deal. In fact, the sea change in the institutional infrastructure of European planning, is if anyone’s, their achievement. Their goal was to

stimulate and coordinate working groups, including one under Action 1.1., ‘Coordination between urban and territorial development’, which the Slovenes themselves chaired. It seems only fair to discuss this working group first.

In this particular case, the idea, inherited from the German Presidency was to bring the two policy areas together, as well as to revive the dormant Urban Development Group (UDG). (At DG REGIO, too, there is now a joint unit for ‘Territorial and Urban Matters’.) Working group 1.1 comprised of 19 representatives from France, Germany, Malta, the Netherlands, Norway, Portugal, Spain, Switzerland, the United Kingdom, EUROCITIES, and the European Commission with, of course, Slovenia chairing. It included representatives from the NTCCPs as well as the UDG. Sometimes participants in one or the other of the 15 case studies took part, with good effects on the validity of the results.

Three meetings were held, with the remainder of the interaction by e-mail. In September 2008, and thus after the end of the presidency, Slovenia also hosted a workshop with 24 participants on coordination within the scope of the implementation of the Action 1.1. Many participants in the case studies also attended. In addition, almost all the case studies were commented upon by experts working on the case. All case studies were based on proposals submitted by the members of the working group, the final selection having been made on the basis of common criteria, so care had been taken to ensure reliable findings. Interim results were presented at the DG meeting at Brdo in May 2008 and the final results at the DG meeting under the French presidency. The final report was distributed in time for the Marseille Ministerial. It included recommendations for improved coordination between territorial and urban development, as well as proposals for future activities at the EU and member state level (Slovenian Presidency 2008d). The extension of the active life of working groups beyond the terms of presidencies is a more general feature of the new practices that may add up to the sea change in the institutionalisation of European planning.

An additional intention was to open up the process, not only to all member states, but also to the guest and accession countries, EU institutions and organizations and other stakeholders. The Germans had already started involving actors other than the member states, as indeed had the Portuguese, but during the Slovenian Presidency, this practice became routine.

Additionally, there were of course the meetings of directors-general and of the NTCCPs, often piggy-backing onto other meetings. At all these meetings, the agendas were far-ranging, including discussion of the concept of territorial cohesion, the spatial or territorial impacts of sector policies, their connections with major EU dossiers, and in urban matters, the role of spatial planning in combating climate change. With this it was hoped to strengthen the common understanding and ownership of new approaches to territorial cohesion as well as urban development. Some of these debates were to be taken further under the French presidency.

Subtle differences also emerged in respect of the previous Portuguese and, as will become evident, the next French Presidency. Like the Germans, the Slovenes were keen on spatial planning as such, whereas the emphasis of the two other presidencies was on

cohesion policy and the role of territorial cohesion in strengthening it in the face of the threat of its renationalisation. The Slovenes also invited a new stakeholder into the process, the ECTP (for European Council of Town Planners, but calling itself presently – while retaining the acronym – the European Council of Spatial Planners) representing the professionals. The ECTP was involved in conferences with an architectural design orientation.

At the end of its term, in pursuance of a commitment under the First Action Programme, the Slovenian Presidency issued a comprehensive report (Slovenian Presidency 2008a). It cast light on further changes, thus demonstrating that the Slovenian team had achieved much besides their disappointing input into the European Council proceedings. This concerned coordination and monitoring of the implementation of the First Action Programme. When that Action Programme had been promulgated, in November 2007, there had been few takers assuming responsibility for concrete actions. This changed to the extent that most, if not all, of the actions were under way. The role played by the working groups for which France assumed responsibility will be discussed below.

Regarding urban development, similar initiatives were taken, but these are outside the scope of this paper. There was sufficient exchange of information and cross-referencing to the Thematic Groups (which the Commission chairing appeared not to pay much attention to) set up by the TCUM (Territorial Cohesion and Urban Matters) sub-committee of the official management committee for the Structural Funds. There was coordination also with ESPON in the sense of looking for finance for some of the actions under the First Action Programme from ESPON 2013. Table 4 lists all the lines of action and actions, indicating also, where applicable, their lead partners.

Table 4: Lines of Action and Actions with lead partners

1. To implement the Territorial Agenda

- 1.1 Coordination between spatial and urban development (**Slovenia**)
 - 1.1 a - Urban-rural relations
- 1.2 Integration of the territorial priorities and challenges in policies
 - 1.2 a - Polycentric cross-border metropolitan areas (**Luxembourg**)
- 1.3 Assess territorial priorities and challenges in the implementation of NSRFs and Ops

2. To influence EU key-dossiers

- 2.1 Cooperate with the TCUM (**Lead partners of thematic sub-groups**)
- 2.2 Sectoral policies and territorial impact assessment (**The Netherlands**)
 - 2.3 a - Valorisation of territorial diversity (**Norway**)
 - 2.3 b - European mountain areas (**Switzerland**)
 - 2.3 c - European islands (**Greece**)
- 2.4 Contributions of ministers to the debate on EU key dossiers (**Acting Presidency**)
 - 2.4 a - Green paper “Adapting to climate change in Europe” (**Portugal**)
 - 2.4 b - Future of EU cohesion policy (**France**)
 - 2.4 c - EU Rural Development Policy (**France**)
 - 2.4 d - EU Sustainable Development Strategy (**France**)

- 2.4 e - EU Transport policy post 2010
- 2.4 f - Lisbon process post 2010

3. To strengthen multi-level territorial governance

- 3.1 Transparent decision-making with stakeholders and NGOs
- 3.2 Discuss commitments regarding TA priorities with selected stakeholders
(**Portugal**)
 - 3.2a - no title (**URBACT SC**)
 - 3.2 b -Impact of climate change in the Alpine space (**PC Alpine Space**)

4. To compare and assess the territorial state, perspectives, trends and impacts

- 4.1 Liaise with ESPON 2013 (**ESPON MC, Luxembourg MA**)
- 4.2 Support from ESPON 2013 etc., including OECD (**ESPON MC, Luxembourg MA**)
- 4.3 Update Territorial State and Perspectives before the TA mid-term review in 2011

5. To coordinate and monitor the First Action Programme implementation

- 5.1 Coordinate, monitor and assess the implementation of AP1 (**Acting Presidency**)
- 5.2 Communication and awareness-raising strategy (**Acting Presidency**)
- 5.3 Evaluate and review the territorial agenda in 2011 (**Hungary**)

Source: Slovenian Presidency (2008a).

To coordinate all these activities, two meetings of the NTCCPs were held, and there was one Directors-General meeting on territorial cohesion and urban development on 14 and 15 May 2008. There were also three side-events: a seminar on the implementation of the Alpine Convention (of which Slovenia is a signatory); an international ESPON 2013 Seminar on ‘Territorial Challenges in a Wider Europe’ and the European Forum for Architectural Policies. Other than at the time of the Tampere Action Programme, when the future of the ESDP process was up in the air and commitment to pursue agreed lines of action patchy, the Territorial Agenda thus led to concrete action. The expectation of the Lisbon Treaty being ratified – although now obviously later than had been hoped for – and the expectation, now fulfilled, of the Commission's Green Paper on Territorial Cohesion being published may have helped.

The French Presidency

The domestic position of French experts concerned with European planning is different from that of their colleagues in most other member states, and is so for two reasons. One is that the agency concerned; since 1 January 2006 the *Délégation interministérielle à l'aménagement et à la compétitivité des territoires*, or DIACT (previously *Délégation à l'aménagement du territoire et à l'action régionale*, or DATAR), reports directly to the Prime Minister and thus occupies a central position within the French government structure. This does not mean that the position of French planners has always been secure. There have been occasions when DATAR, as it then was, had to fight for its survival. Also, administratively, the planners need a home in one or the other ministry. For some time, this had been the Ministry of the Interior, but in the run-up to the French Presidency this changed: As a consequence of the French presidential elections, DIACT moved to the Ministry for Ecology, Energy, Sustainable Development and Spatial Planning. Initially there was no junior minister, and the minister responsible for this huge outfit had neither the time nor the inclination to give guidance. This all meant that, whereas expectations were high, for a while French intentions as regards a Ministerial remained unclear. Internally, it was always clear though, that France would hold one, alongside a stakeholder conference. The Azores Ministerial had been told so informally, with Strasbourg mentioned as a venue. As indicated, the official announcement came at the Maribor conference in May 2008, but the member states had received prior notice at a meeting of the NTCCPs at Brussels in March. With the appointment of Hubert Falco, mayor of Toulon (many French ministers also hold local office under the *cumul des mandats*, see Mény 2008, 127) as junior minister responsible for *aménagement du territoire*, the venue shifted to Marseille close to Toulon.

The French Presidency generally pursued an ambitious programme with almost daily events organised throughout the country. Being informal, a Ministerial was not a priority issue, this whilst everything, including the financing of the Ministerial and the planned stakeholder conference had to be negotiated through an inter-ministerial committee under the Prime Minister, called the General Secretariat for European Affairs (Mény 2008, 126).

The second reason why the position of French experts is different from that of their peers is that they do not work with any statutory plan but rely on so-called *contrats de plan Etat-région*, or CPERs. When EU regional policy began in earnest, the CPERs formed the template for EU regional policy, and to this day they are the conduits through which it is brought to bear in France and its regions. The upshot is that France feels close to EU cohesion policy. This is contrary to the attitudes of many of the other national planning experts involved who generally keep their distance from Brussels.

As indicated, at Maribor in May French intentions had been made public, and this is where French affinity with EU cohesion policy had already become evident. Thus, it had become clear that the French Presidency would relate firmly to the ongoing debate about territorial cohesion policy, and this against the backdrop of the wider debate about the future of cohesion policy. The timing was fortuitous. In early October, give or take six weeks before Marseille, the Commission published the Green Paper on Territorial Cohesion (CEC 2008). As a by-product of its activities the French Presidency sustained and strengthened the advances in the institutionalisation of European planning initiated

under the Portuguese and Slovenians. Thus, no fewer than five French-led working groups prepared Marseille. The members were not meant to represent member states but operated as experts under their own steam. European institutions, including the Commission, participated in the meetings. The French Presidency cast a high profile: Meetings were chaired by representatives of French institutions or by outside experts brought in by the French Presidency (one of them an old hand in European planning, the polyglot from The Netherlands who had already figured prominently in the story of the ESDP; see Faludi, Waterhout 2002). Starting already in May 2008, the groups met four times and completed their reports under pressure-cooker conditions as early as mid-September. Shorter versions edited by the French Presidency were presented at the Paris Conference on Territorial Cohesion and the Future of Cohesion Policy with well in excess of one thousand participants organised jointly with, amongst others, the Committee of the Regions at the end of October 2008.

The reports of the working groups fed into the Ministerial at Marseille, but not before the Directors-General for territorial cohesion meeting in Paris on the day before the stakeholder conference had considered the agenda and the proposals to be put before the ministers. Marseille itself was to be three meetings rolled into one:

- Ministers responsible for housing with a focus on access for disadvantaged groups (presumably a reflection of French concerns with the problems of the *faubourgs*)
- Ministers responsible for urban policy (follow-up to Leipzig where these ministers had adopted the Leipzig Charter 2007)
- Ministers responsible for territorial cohesion and regional policy.

For the purposes of this paper the most relevant session was of course to be the last one. Naturally, the notes prepared by the French Presidency for this last meeting assumed that the ministers would wish to respond to the Green Paper on Territorial Cohesion. Thus, there are three preparatory notes, one for each of the sessions planned at that time discussing:

- territorial cohesion
- the First Action Programme
- the future of cohesion policy.

Unknown to the French Presidency at that time the agenda of the final meeting would look differently, though. The financial crisis made it opportune to discuss the role of cohesion policy in mitigating its effects. The remainder of this section discusses the working groups, the Directors-General meeting and the Marseille Ministerial itself.

The Working Groups

With the emphasis here being on institutional change, the discussion will focus less on the substance of the reports of the working groups and more on their set up and procedures. Thus, as indicated, there were five working groups. Four of them related to Action 2.4:

- Future of Cohesion Policy (2.4b)
- CAP and Rural Development (2.4c)
- Sustainable Development Strategy (2.4d)
- Lisbon Process after 2010 (2.4f)

Action 2.4a – Contribution to the public discussion on the Green Paper on Climate Change – had already been taken care of under the Portuguese Presidency, whereas 2.4e (EU Transport Policy post 2010), with Germany as lead partner, was not yet in the picture but would eventually make a last-minute appearance at Marseille.

The fifth working group (Territorial Cohesion and Governance) was said to operate under Action 3.1b. Confusingly, there is no Action 3.1b to be found in the list that emerged under the Slovene Presidency. Rather, Table 4 mentions an Action 3.1 – thus without further sub-divisions – called in full: ‘Design and implement a strategy to promote transparent decision-making processes in the administration and with public and private stakeholders as well as non-governmental organisations on territorial policies at EU and MS level’. Also, at the time of the Slovenian Presidency, no lead partner had been mentioned. One can only surmise that in the meantime the French Presidency had assumed leadership, recasting the title into the more manageable ‘Territorial Cohesion and Governance’. Overall coordination of Action 2.4 was a task for the acting presidency, so France was within its rights.

France focused on the issues above because it thought that the First Action Programme had been too diffuse. In particular, the French held that the programme should be more about strategic actions, and the key dossiers which these working groups analysed were definitely in the core area of territorial cohesion policy. To reiterate, the French stance remains close to that of the Commission.

The largest of the five groups was the one on the future of cohesion policy (2.4b), with (including the French hosts) 16 member states and the non-member Norway present. The French Presidency had invited representatives of both spatial planning and regional policy ministries, so some member states were represented by more than one expert, this being a reflection of the two-level game in EU territorial cohesion and thus of the need to form horizontal coalitions. In addition, two directorates-general from Brussels, DG REGIO and DG EMP (Employment) were present, along with the Committee of the Regions – always interested in matters of territorial cohesion – and ESPON and also the Organisation for Economic Cooperation and Development (OECD), the Association of European Border Regions, the Association of French Regions and the Council of Peripheral Maritime Regions. These organisations, too, are among the parties most concerned about territorial cohesion.

The second-largest working group on territorial cohesion and governance (3.1b) assembled experts from 13 member states and the non-member Switzerland and a similar group of DGs and stakeholders. Sustainable development had the least appeal, with a mere five member states, DG REGIO and just one other stakeholder (ADEME: *L'Agence de l'Environnement et de la Maîtrise de l'Energie*, based at Limousin in France) participating. Next to France, only Portugal, The Netherlands and DG Regio participated in all five working groups. Portugal as the ring holder of the First Action Programme obviously had a strong interest in the matter, and The Netherlands has always been active in this arena, with the Rotterdam Ministerial which started the Territorial Agenda Process rolling having been their last major achievement.

As indicated, the French Presidency summarised the reports of the working groups so as to provide a basis for the workshops at the Paris conference. In addition to introductory speeches, that conference also featured panel discussions on the reports of the working groups and presentations of the EU Strategy for the Baltic Sea Region and the recently formed European Grouping for Territorial Cooperation (EGTC) between Hungary and Slovakia. The main messages from the conference were summarised by the French Presidency, but this summary appears to have played no further role in the process. Note that by the time the conference took place, there were a mere four weeks left until Marseille, so there was no time to influence the course of events. This is an example of where the very hectic timetable cuts short the possibility of effective consultation.

The Directors-General Meeting

A more direct route through which the working groups influenced things was by providing input into the meeting of the Directors-General of territorial cohesion preparing Marseille. This was a two-stage process. First, the French Presidency provided notes regarding each of the three sessions foreseen at the time to take place on day three discussing territorial cohesion at Marseille. These notes dated from 16 October and were considered at the meeting of Directors-General on 29 October. They represented the cumulative results of the efforts of the working groups, which is why they, rather than the several drafts, will be discussed.

The Notes on Territorial Cohesion

These make extensive use of the work of Working Group 3.1a, Territorial Cohesion and Governance. They present territorial cohesion as an objective and a guiding principle for helping each territory “build its future on its territorial capital while reducing disparities at the various geographical levels” (Notes on Territorial Cohesion 2008, 1). These are the elements:

- More balanced development at all territorial levels;
- Harnessing potentials to turn diversity into an asset;
- More sustainable and integrated development;
- Stronger links and cooperation between EU territories;
- Territorial governance better adapted to challenges.

The notes thus present territorial cohesion as an umbrella concept with some substantive elements and others relating to the process of territorial governance. They continue by discussing the why and the how of EU territorial cohesion policy, emphasizing that the ‘compensation-based’ notion of cohesion has evolved in the direction of exploiting the potential of territories (thus requiring differentiated territorial strategies). The three axes of work are thus:

- helping territories to develop their potentials
- providing them with a “fair and tailored” level of access to public services – a theme which France has always linked to territorial cohesion
- strengthening of the connections between territories.

There is a rider – a kind of mantra since Rotterdam in 2004 – which is the denial of any intention to create a specific territorial cohesion policy. Rather, the aim is to integrate the territorial aspects of national and European policies using existing instruments and structures, but “based on a common strategy” (op cit., 5). This implies efforts to:

- collect and interpret the necessary evidence
- define ‘acceptable’ variability of territorial characteristics
- anticipate the territorial effects of new challenges
- define priorities at EU and member state level within a European framework
- put into place – without prejudice to the internal arrangements of the member states – appropriate forms multi-level governance
- facilitate exchanges of experience.

The notes do not anticipate a separate budget for territorial cohesion – the issue that had been discussed at Maribor – but rather for it to be pursued using existing instruments.

There is a paragraph devoted to governance at European level where the notes suggest the stronger involvement of member states “in the framework of the Council” (op cit., 7). Presumably what the notes anticipate is that, once ratified, under the Lisbon Treaty territorial cohesion will be a shared competence, so that the Community method will apply which, if invoked, would indeed lead to Council involvement. Indeed, under the French Presidency, there were already discussions at the Structural Actions Working Party of the Council of Ministers about the extent to which territorial cohesion had been taken into account in National Spatial Reference Frameworks and Operational Programmes (French Presidency 2008). Little is known about the working of this Council working party, marking it as one of the black boxes of the institutional landscape (Bachtler, Mendez 2007).

The notes reiterate the need for integrated sustainable territorial development requiring “increasing interaction between sector policies, on the one hand, and between different levels of responsibility, on the other, which, from the EU down to local level, must appropriate this objective by adapting it to their specific situations in order to provide appropriate answers respecting the principle of subsidiarity”. The notes give extra emphasis to sharing responsibility by saying that “[...] efforts must be made in terms of negotiation, agreement and cooperation not only at EU but at national, sub-national and cross border levels in order to rise to the complexity of the problems in hand” (op cit., 7).

One might add that this makes it seem as if cooperation at the EU level was somewhat more intensive than elsewhere. In fact, both insiders (Working Group 2001) as well as outside observers comment on the ‘silo mentality’ at Brussels:

“This system fragments the bureaucracy into relatively autonomous parts [...]. The most telling indicator [...] is comitology. Most Commission work takes place in a dense web of committees, each of which brings together specialized stakeholders to make decisions.

Comitology and bureaucratic fragmentation are unintended outcomes of a particular political-bureaucratic system [...] In fact, report after report [...] has recommended strengthening central political control over 'local fiefdoms' or cosy networks. Coordination across units and directorate-generals is perceived to be an endemic problem in the Commission." (Hooghe 2001, 39)

Indeed, there is a tendency, also in the Green Paper on Territorial Cohesion, to make it appear as if integration were mainly a task for the national and regional level but, as many reactions to this already emphasise, this presupposes integration at Brussels. In terms of the theoretical framework proposed: both ‘two-level games’, and in particular the one at the EU level, need to be played in parallel, but that at the EU level may turn out to be the Achilles’ heel of integrated territorial development.

Indirectly the notes address this issue. After referring to the “observational work” of, for instance, ESPON, they discuss the territorial impact assessment of Community policies, a proposal that the Working Group on governance, has also made. (The participants of the Paris conference underlined the need for territorial impact assessment as part of any effort to develop the ‘strategic capacity of territories’.) The notes end by posing three questions for ministerial consideration:

1. The definition of territorial cohesion as providing citizens with equal opportunities in terms of living conditions and quality of life, and providing enterprises with equal perspectives for development, relying on specific regional and local potentials, wherever they are located within the EU.
2. Ways to pursue territorial cohesion:
 - a) by means of partnership throughout the system of multi-level governance
 - b) through emphasizing place-based approaches
 - c) by means of EU territorial cooperation as its principal tool.
3. How can EU sector policies contribute more to territorial cohesion?

The Notes on the Action Programme

Session 2 of the Ministerial was to discuss progress as regards the First Action Programme. Within this framework, the French priorities were different from those of the Slovenes and Germans (but in line with those of the Portuguese): to contribute to the debate on the future of territorial cohesion policy within the broader framework of the debate on cohesion policy post-2013. The relevant notes make use of the work of the three working groups on the:

- Development of Rural Territories (Action 2.4c)
- European Sustainable Development Strategy after 2011 (Action 2.4d)
- Lisbon Strategy after 2010 (Action 2.4.f).

This is preceded by a “Methodological Contribution to the Analysis of Sector Based Policies” teasing out from the reports five conditions for involving sector policies in the implementation of the Territorial Agenda:

1. Territorial impacts of sector policies need to be taken into account from the start;
2. Improving the ‘articulation’ between these and cohesion policy, which could amount to EU cohesion policy becoming the framework for sector policies;
3. In-depth studies of the territorial effects of sector policies, invoking indicators, ultimately to be used in *ex-ante* territorial impact assessments.
4. European-level coordination, but without giving any details beyond saying that this requires “discussions in the proper forum between relevant Ministers and the Commission” (Notes on Action Programme, 2008, 3; this could refer to the Structural Actions Working Party).
5. Giving preferential treatment to territorial projects involving sector policies with significant territorial impact, which seems to signal a recourse to the idea mooted in the first draft of the Community Strategic Guidelines of identifying and promoting strategic projects.

The notes then discuss in detail each report of the three working groups.

The Notes on Cohesion Policy

Being about the future of cohesion policy, session 3 at Marseille looked at the time like becoming the high point of the Ministerial. Thus, the French Presidency proposed that ministers give their support to cohesion policy in a form sensitive to “the diversity of territories” (Notes on Cohesion Policy 2008, 2). After recounting its successes, noting, at the same time, the need for a more dynamic and proactive approach, they point out the obvious: cohesion policy is a significant tool in pursuing territorial cohesion. Invoking the Fourth Cohesion Report (CEC 2007b), note is taken of infra-regional disparities (reminding us of the Green Paper on Territorial Cohesion factoring in the NUTS 2 level) relating to urban areas, rural areas facing depopulation, and of increasing numbers of regions with geographical handicaps, while metropolitan areas, particularly in the new member states, have benefited from the emphasis on growth and competitiveness.

What is needed then are coherent intervention strategies, not only at the infra-regional, but also the trans-national level. The European Territorial Cooperation objective of cohesion policy is said to be tailor-made for this purpose, but the notes demand better

coordination with Objective 1 and 2 programmes, and also with the Neighbourhood Policy. The emphasis on transcending existing levels of government reminds us of French policy creating structures that facilitate the pursuit of ‘territorial projects’, and thereby enmeshing the existing, more than 36,000 French *communes* in a tangle of networks. The same logic underlies the promotion of cross-border, transnational and inter-regional cooperation, as well as the attempt to increase incentives for such cooperation through direct EU project funding in the Community Strategic Guidelines (CEC 2005). Rather than confronting existing structures of government and administration, the idea behind this policy, inspired as it seems by French strategic spatial planning (Geppert 2008), may be to create new, flexible structures reflecting the dynamics of territorial development, a possible side-effect being to weaken the hold of member states on policy.

There is no further reference to this in the remainder of the notes. Rather, they advocate assistance to ‘regions and territories’ to enable them to benefit from opportunities and to be able to face up to the consequences of global challenges. The list reminds us of the Territorial Agenda with an emphasis on the general priorities of the French Presidency: climate change, a new energy paradigm, demographic changes and migration. This requires among other things a territorial breakdown of the sector policies chiefly responsible for policy formulation. Beyond this, cohesion policy with its tradition of promoting a programmatic approach should “help regions build strategies that take into account risk factors and the opportunities generated by these major challenges”, adding that the “way cohesion policy is elaborated and implemented (multi-level governance, partnership, integrated approach, etc.) make this a privileged tool for overall sustainable development policies” (op cit., 4).

Based on this, the ministers are invited to discuss seven questions:

1. Should cohesion policy continue to give priority to promoting competitiveness through the entire EU?
2. Does cohesion policy have a part to play in helping regions to react to global challenges?
3. How can one take better account of territorial diversity and specificities?
4. Should territorial cooperation as one of the privileged tools of territorial cohesion be reinforced?
5. Should cohesion policy be linked more closely to the Neighbourhood Policy?
6. How can ESPON 2013 help policy makers and stakeholders to conduct prospective analyses to support their territorial strategies?
7. How can systems of monitoring and evaluation be improved?

The meeting of directors-general was a milestone on the road to Marseille. The French intention had been to make a powerful statement targeted at sector policy-makers at all levels to the effect that territory mattered, the philosophy underlying efforts ever since the Territorial Agenda Process had emerged at Rotterdam in 2004. However, the directors-general were not totally receptive to this idea. One argument made at the time was that, with barely four weeks left, insufficient time remained for the necessary consultations back home to take place. This is yet another example of where the logic of the two-level game comes in: In their position as international negotiators, each director-general has to

ask whether national constituencies – the minister responsible and/or other ministries – would, as Putnam puts it, ‘ratify’ whatever agreement would emerge. Given the limitations of time, the directors-general reckoned that there was no opportunity left for the necessary consultations, which is yet another example where the tight schedule dictates what can, and what cannot be done.

One might counter by saying that targeting sector policy makers was by no means a new idea. In fact, the failure of directors-general to have engaged in earlier consultations with the sectors may either indicate a lack of initiative or of political clout, or both.

The French Presidency itself had of course cleared its position with the relevant ministries well beforehand. Although by no means a key mover of things, the home base of the French national experts, DIACT, lives by interdepartmental coordination. It thus seems logical that it should have secured its rear before playing its cards in the framework of the French Presidency.

The outcome of the directors-general meeting on 29 October 2008 was thus not the forceful statement intended by the French but rather a set of five recommendations for further study and an interim report on the actions under the First Action Programme, including a report on the activities of the working group on transport policies, unrelated to the work of the French Presidency, with the Germans as lead partners.

The Marseille Ministerial

Not to be discouraged, the French Presidency prepared two working documents for Marseille, one ‘Note of introduction to the debate by Ministers on Territorial Cohesion’ and one ‘Note of introduction on the future of Cohesion Policy’ (based on the working group operating under Action 3.1b) and a ‘Progress Report on Action 2.4’ covering three of the four other working groups with France as lead partner (2.4c, 2.4c and 2.4f) plus the work of working group 2.4e now entitled ‘Transport Policy post 2010 and Revision of TEN-T Policy’, with Germany as the lead partner. Meanwhile it had become clear that the Commissioner for regional policy would speak, not only about the topics foreseen, but also about the response of cohesion policy to the economic and financial crisis. In addition, the agenda included a presentation of a brand-new Commission report, ‘Regions 2020: An Assessment of Future Challenges for EU Regions. (CEC – DG REGIO 2008) As a consequence at Marseille, the Ministers of Spatial Planning and Cohesion Policy – as always, designations change – held four sessions rather than three. First, the agenda will be outlined. Based on an unofficial summary provided by the French Presidency in *lieu* of official Presidency Conclusions, the paper will then relate the outcomes.

Session one was on territorial cohesion and included a presentation of the Commission’s Green Paper (CEC 2008) and speeches by representatives of the European Parliament and the Committee of the Regions followed by a debate. After the obligatory group photograph, the next item on the agenda was the implementation of the Territorial Agenda, based on the ‘Progress Report on Action 2.4’.

After a press briefing and lunch, the ministers discussed the future of cohesion policy, listened to and discussed a statement by Danuta Hübner as regards the role played by same policy as part of the action plan to face the crisis, heard presentations on the future

programme of the Czech and Swedish Presidencies (to be outlined below) and a summary of the day's events by the host, Minister Falco. The Slovenes had been able to table the final report on Action 1.1, but there is no indication that this was discussed.

The 'Summary of debates' (*Présidence Française* 2008) arranges the issues in a different order than they were actually discussed. Firstly it discusses territorial cohesion, including Hübner's presentation of the Green Paper. Then comes the future of cohesion policy, once again including the presentation by Hübner on the 'Regions 2020' report. The implementation of the Territorial Agenda issuing in five official recommendations comes next, to be followed by the how cohesion policy was responding to the economic and financial crisis, with yet another speech by Hübner. Our focus here is on the first three parts.

Territorial Cohesion and the Green Paper

The presentation of the Green Paper (Hübner 2008a) revealed some of the Commission's thinking. It related to:

- The trajectory of the Green Paper up to the new post-2013 regulatory framework, which the Commission would propose around 2011-12;
- The essence of the concept of territorial cohesion;
- Issues in the Green Paper particularly important in the context of the Ministerial.

Under the first item, Hübner outlined a road map beyond her own term of office. The map apparently does not depend on the Treaty of Lisbon being ratified. She repeated what the Green Paper said about territorial cohesion:

- That it was about harnessing territorial diversity for more competitiveness;
- That no territory can be treated as an island;
- That there was a need for territorial coordination at all levels, leading her to embrace multi-level governance with an enhanced role for regional and local authorities.

Importantly, Hübner also emphasised what territorial cohesion was not:

- An attempt to establish an EU competence for what she called (disregarding any differences between the two) 'land-use and spatial planning';
- A rationale for the automatic compensation of territorial handicaps;
- A brand new objective.

As regards issues, Hübner talked about cooperation and coordination. Under the first heading, she talked about the Baltic Sea and the Danube River Basin strategies, but also about the need for cooperation to be extended to include Europe's neighbours, envisaging a more strategic role for the European Territorial Cooperation objective. (It had always been seen as a strategic objective by the Commission, but had suffered badly at the hands of the budget negotiators slashing what at that time were called strategic projects.) She also reminded the Ministerial of the availability of the European Groupings of Territorial Cooperation as a tool-kit facilitating joint work.

Concerning coordination between territorial and sector policies, naturally without invoking the concept of two-level games, Hübner agreed that this was difficult both within the Commission and the within national administrations. She also touched upon territorial impact assessments as a basis for such coordination. As was the case at the Azores more or less exactly one year before, she again aired the proposal for more involvement by the member states on territorial issues within the Council of Ministers. This was the only occasion at which she referred to the Treaty of Lisbon as potentially creating the possibility to strengthen the legitimacy of Ministerials by “gradually progressing toward a more formal political agenda for European cohesion policy” (Hübner 2008a, 4). Note that in the last passage she was not referring so much to territorial cohesion, but rather to cohesion policy as such. Indeed, contrary to what, given its share of the budget one might expect, there is no formation of the Council for cohesion policy. Rather, it is the General Affairs Council of foreign ministers that deals with cohesion policy.

Hübner let fly another kite, suggesting that the national strategic reports due in 2009 should demonstrate how Operational Programmes address territorial cohesion. Earlier attempts to require *ex-ante* evaluations of National Strategic Reference Frameworks and Operational Programmes to include sections on territorial cohesion have met with little success.

After a speech by Luc van den Brande, President of the Committee of the Regions, many delegations participated in the debate on three questions posed by the French Presidency regarding (a) the concept of territorial cohesion, (b) its relation to cohesion policy and (c) on how to deal with the sectors.

The French summary enumerates points of agreement as regards the first item, i.e. that territorial cohesion aims at equity of access to infrastructure and services (the original French concern at the introduction of the very concept of territorial cohesion into the debate), taking account of territorial diversity; that this is thus a more central concern than income-redistribution, and that beyond the semantic discussion, territorial cohesion should result in political priorities and ‘material projects’. Apparently, the endless quest for a definition of territorial cohesion leads to frustration, because the next sentence states that “it is important to avoid encapsulating territorial cohesion in an excessively precise definition that could stop the debate and particularly limit the political implications resulting from it” (*Présidence Française* 2008, 2).

After making reference to the added value, in addition to the main efforts that the member states need to make, of territorial cohesion at the EU level, there is mention also of territorial governance issues, before the summary proceeds to discussing the relationship to cohesion policy as such.

In respect of this relationship to cohesion policy, naturally, as part of cohesion policy, territorial cohesion policy is called upon to enforce the former by means of giving better orientation and targeting to actions. What may be meant are spatial or territorial visions – *prospectives* in French – supporting cohesion policy. The summary also takes note of the objections of some member states to territorial cohesion being invoked as a criterion in allocating funds – a long-standing concern of the recipients of Structural Funds that, as

indicated, was already evident in the days of the ESDP.

As regards confronting the sectors, participants seem simply to have confirmed that territorial cohesion concerns all policies with an impact on territory, thus implying the need for coordinating sector policies at all levels. Territorial impact studies – perhaps invoking this term *in lieu* of the more stringent Territorial Impact Assessment was intentional – should smooth the path towards such coordination.

The French summary also noted that over and above the three questions raised, several delegations emphasised the need to reinforce the legitimacy of the Ministerials: “in order to progressively move towards a more formal instance dealing with the cohesion policy within the Council” (op cit., 3). Once again, the talk here is of cohesion policy, and not territorial cohesion policy, but the ministers responsible for regional policy were present, so the remit of Marseille was broader than that of previous such meetings.

Future of Cohesion Policy

As indicated, according to the agenda, this issue was discussed later, after the implementation of the Territorial Agenda. Maybe the presidency summarising the proceedings considered that, thematically, this topic followed logically from the discussion of territorial cohesion policy. Be that as it may, the summary reports on Danuta Hübner presenting the study ‘Regions 2020’ (Hübner 2008b) and Gerardo Galeote, President of the European Parliament’s Regional Development Committee, underlining the importance of cohesion policy. In particular where it touched upon territorial cohesion as part of general cohesion policy, the tenor of this discussion was the same as before: cohesion policy is not a distributive policy but rather an instrument of the growth and jobs policy.

The Implementation of the Territorial Agenda

This concerned the working groups whose products had been ably summarised by the presidency in the form of recommendations modified as they had been by the directors-general. It was the only part of the proceedings leading to concrete results. As had been agreed at the meeting of directors-general, the recommendations were procedural rather than substantive:

- Consider the territorial impact of sector policies and strategies at the design stage
- Improve coordination between these policies and strategies and cohesion policy
- Increase knowledge of territorial effects of sector policies and major strategies
- Improve coordination at European and national level on territorial cohesion issues
- Prioritise territorial approaches and projects on a scale consistent with the theme, geography or function.

Additionally, the ministers wished the work on action 2.4 to proceed, inviting France and Germany to continue as lead partners, at the same time suggesting the inclusion of other key dossiers identified in the Territorial Agenda. The summary also mentions the results of Action 1.1 chaired by the Slovenes on the coordination of spatial and urban development policies to achieve sustainable development, noting that the report had been considered by delegations beforehand.

As a special item not foreseen only months before, the responses of cohesion policy to the crisis were discussed and found their way into the summary, but the front-loading of funds, the speeding-up of procedures under the Structural Funds etc., were more of a concern for regional planning ministers than their spatial planning counterparts, and territorial cohesion, the topic discussed here, was not directly affected.

Outlook

It seems that while there may not in fact have been much time at Marseille to present the Czech and Swedish plans, the Czechs held a meeting, presumably at their permanent representation, in Brussels in early December. In addition to their earlier announcement at the directors-general meeting, this gave an idea of what was coming. The definite programme was presented at the NTCCPs meeting in February 2009. On that occasion, the French Presidency also gave a summary report on its achievements and the Swedish Presidency, too, announced its intentions. The extent to which the two presidencies of 2009 will sustain the efforts of their predecessors should thus become clear soon. Formally, under the First Action Programme, they are committed to continue this work, and so one should expect progress reports along the lines of the example given by the Slovenes – but note that the French have not exactly replicated the comprehensive format of their predecessors. In addition, there is the commitment entered into at Leipzig and affirmed at the Azores for the Territorial Agenda to be reviewed under the Hungarian Presidency in 2011, so it is to be expected that activities will continue beyond 2009. Will there however be more Ministerials?

In this respect, it is gratifying to note that, as Table 5 shows, the Czech Presidency will hold one in Mariánské Lázně on 23-24 April 2009. The topic is the future of Cohesion Policy with an emphasis on the budget review, territorial cohesion and the implementation of the Territorial Agenda and the Leipzig Charter. From this one can surmise that cohesion policy as such occupies centre stage during the Czech Presidency, but that the territorial cohesion theme continues to be pursued. Although cohesion policy figured first at the International Conference on the Future of Cohesion Policy and Territorial Cohesion at the end of March in Prague, the current author as a participant observer can only confirm that territorial cohesion was also discussed. Prior to all this, the NTCCPs met on 3 February, followed by the Urban Development Group on the next day.

Table 5: Meetings under the Czech Presidency 2009

- 3 February: National Territorial Cohesion-related Contact Points (NTCCPs) (Prague, Brussels)
- 25 March: Directors-general (Prague)
- 26-27 March: Conference ‘Future of the Cohesion Policy and Territorial Cohesion’ (Prague)
- 23-24 April: Informal Meeting of Ministers in Charge of Regional Policy (Mariánské Lázně) (Themes: Future of Cohesion Policy; Territorial Cohesion)
- 3-4 June: ESPON Seminar (Prague)
- 10-11 June: Conference ‘Tourism Industry: Employment and Labour Market’

Source: (Special Issue of ‘The Parliament Magazine: Politics, Policy and People, 15 December 2008, 2).

What is less clear is whether the Czechs rely as much on the working groups as the French did. At the Prague conference there was less evidence of this. What is also clear is that Sweden will not hold a Ministerial but rather a conference on innovation policy at Kiruna in December 2009. (Table 6)

Table 6: Programme of Swedish Presidency 2009

- 14-15 September: High-Level Conference on Sustainable Cities, (Stockholm)
- 17-18 September: Conference on Macro Regional Strategies with the EU Baltic Sea Strategy as a Case Study (Stockholm)
- 2-3 December: ESPON Seminar (Malmö)
- 10-11 December: Conference – “Make Use of the Territorial Potential” (Kiruna)

Source: Swedish Presidency at NTTCPs 3 February 2009.

Importantly, there is as yet no news about the intentions of the Spanish Presidency in the first half of 2010. Spain has not been an enthusiastic participant in the ESDP process, and the keen team that took over thereafter has once again been disbanded. As in the past Belgium holding the Presidency in the second half of 2010 will delegate the task of chairing whatever event to one of its three regions, and this will once again be the Walloon Region which has already done so in 1993 and again in 2000, with the Flemish Region giving support to the Hungarians reviewing the Territorial Agenda. Hungary itself has the expertise and institutional backing, in the form of a respected research institute, the VÁTI (*Magyar Regionális Fejlesztési és Urbanisztikai Közhasznú Társaság*) and a committed State Secretary at the Ministry of Local Government and Regional Development, Péter Száló. Whether there are any plans to involve Poland, Hungary’s successor to the Presidency of the European Council in 2011, is currently unknown.

Conclusions

Substantive policies apart, what the situation as described shows is that there has indeed been a sea change in the institutionalisation – not in a formal but rather in an informal sense – of the territorial cohesion discourse. By the turn of the millennium, the institutional backbone of the ESDP process, the CSD, had disappeared due to the unwillingness of the Commission to continue paying for meetings of this intergovernmental grouping. In consequence, no further Ministerials took place after the one in 2000 at Namur better known for its impact on regional policy than spatial development. This situation persisted until Rotterdam in late-2004 when the Dutch, followed by Luxembourg and Germany took the initiative to revive the Ministerials.

Other than the ESDP, the Territorial State and Perspectives and the Territorial Agenda were then produced, not by any permanent structures but rather by *ad hoc* working groups often quite small in size, with a Coming Presidencies Group in an equally fluid constellation coordinating. In practice, the respective presidencies have done the work. The present arrangements as described, with semi-permanent working groups are still informal, but there are a number of features that ensure more consistency and continuity, and as indicated there is now substantial member state input. In particular, there are the

NTCCPs and there is also the possibility of a net portal being set up. There is every intention also to liaise with existing groups and institutions such as the Thematic Groups formed by the Territorial Cohesion and Urban Matters (TCUM) sub-committee established by the Commission, and there are also plans to obtain additional funding beyond what the member states can afford from ESPON.

Another change of some significance is that the life span of the working groups is not limited to presidential terms. Thus, as reported, working group 1.1 with the Slovenians as lead partners went on well into the French term. The working groups on EU dossiers on which the French Presidency relied to prepare Marseille started in May 2008, well before the presidential term began, and at Marseille ministers asked them to continue the good work. There is also a working group on territorial impact assessment, with the Dutch as lead partners, working in parallel but independently. There has already been a successful international workshop at The Hague in March 2009, and the group will report at the next Ministerial to be held under the Czech Presidency. There is also a German-led working group on transport policy operating in parallel with those under the French Presidency.

As always, though, the future is uncertain, but at least there seems to be a new spirit of commitment and, in any case, being the quite open-ended discussion document that it is, the Green Paper, asks for further deliberations. Having insisted on it being pursued, even without a timely ratification of the Lisbon Treaty, Commissioner Hübner makes the impression that she regards the Green Paper as part of her political testament, something that her Marseille speech also testifies to.

As always in these matters, the relationship between territorial cohesion and sector policies requiring, as Figure 1 has illustrated, two-level games to be played at all levels, is problematic. At the level of the EU, thus far coordination between DGs has been notoriously difficult. However, the European Council has asked the Commission to develop the EU Strategy, mentioned previously, for the Baltic Sea Region, and the Commission has responded, apparently with some enthusiasm. Similarly, there is also an initiative for formulating a strategy for the, much less coherent, Danube River Basin, which Commissioner Hübner on her visit to Austria in October 2008 specifically mentioned. Lastly, it seems likely that the Mediterranean Union may also be given an underpinning in the form of some such strategy. The Committee of the Regions, always highly interested in matters of territorial cohesion, has already suggested that the Mediterranean Union be supported by initiatives involving regional and local stakeholders, which could result in an INTERREG-like initiative. (INTERREG already supports cooperation across the Mediterranean.)

Examples such as these, and in particular the Baltic Sea Strategy, could be harbingers of things to come, and this is once again something that the Hübner speech at Marseille seems to confirm. Such experiments should generate experience in strategic planning involving among others all or most of the relevant directorates-general at Brussels. (The Baltic Sea Strategy already involves no less than 20 of them.) In so doing, they could provide the test bed for a wider dialogue on a territorial cohesion strategy for Europe as part of the next version of the Community Strategic Guidelines. So, contrary to the impression that the short list of items on the Swedish agenda (Table 6) makes, the Swedish Presidency may actually turn out to be significant. In this respect it is important

to note that the request by the European Council for the Commission to undertake the preparation of the Baltic Sea Strategy was actually a Swedish initiative. There are thus more institutional innovations in the offing than just the NTCCPs and working groups under the First Action Programme forming, as they do, matrixes overlapping the terms of individual presidencies.

The professionalism of the whole process, in which one can safely assume close to one hundred experts from all corners of Europe have been involved, apart what is noticeable is that since the Portuguese Presidency the focus has been on the plans and ideas of the Commission, in particular the Green Paper on Territorial Cohesion, and also on territorial cohesion policy as giving strength to cohesion policy as such. This emphasis – other than at Leipzig under the German Presidency – on cohesion policy is not really surprising. Portugal has been described as being one of its beneficiaries. Slovenia is the paragon among new member states and one of the chief priorities of its presidency has been to launch the discussion on the Lisbon Strategy – now the umbrella under which EU cohesion policy comes – post-2010. According to various presentations of Hubert Falco, France regards itself – rightly it should be said – as a leading light in regional policy and planning: It practically invented EU cohesion policy. More generally speaking, it has also been emphasised that France has always had both an affinity with and a feel for Brussels. This all makes the renewed focus on EU policy understandable and augurs well for a more cooperative relationship between the member states and the Commission. Such a relationship, if indeed it materialises, would indeed represent a real break with the past.

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ⁱ Where quoted verbatim, documents otherwise unavailable can be obtained from the author on demand.