



The Case for an Open Border: A Post-Functionalist Framework of Cross-Border Cooperation. An Analysis of the Cooperation on Immigration in the Euroregion Tyrol – South Tyrol – Trentino

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Abstract

In 2015, during the peak of Europe's refugee crisis, the Euroregion Tyrol – South Tyrol – Trentino decided to activate a joint response to the migratory pressures to avoid the closure of the border between Austria and Italy. This constitutes an unprecedented case of cross-border cooperation at regional level on a sensitive policy issue. In times when national interests were clashing with each other, this cross-border space managed to find a common position and cooperate in a policy area that traditionally constitutes a national competence. Why was that possible? This article aims at addressing this question by drawing on post-functionalism to identify the factors that triggered the cooperation at cross-border regional level. Based on the examination of documents and interviews, the analysis shows that functional pressures and the strong Euroregional identity allowed for the joint action to take place, while some secondary factors facilitated it.

Keywords: cross-border cooperation; immigration; post-functionalism; functional pressures; identity

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Abbreviations

CBC	Cross-Border Cooperation
EGTC	European Grouping of Territorial Cooperation
EU	European Union
Euroregion T-ST-TN	Euroregion Tyrol – South Tyrol – Trentino
ST	South Tyrol
T	Tyrol
TN	Trentino

I. Introduction

The European integration process has downsized the importance of national borders and increased the contacts among sub-state territories located at European internal frontiers (Perkmann 2003). Europe's 2015 refugee crisis¹, however, has challenged the relations between cross-border spaces, leading to the re-emergence of the debate on the role of state borders. European internal border regions were considerably affected by the recent migration flows (Council of Europe 2018), for instance due to the re-introduction of border controls within the Schengen area, which also compromised regional cross-border cooperation (CBC; Engl and Wisthaler 2018). Indeed, border controls and unilateral actions of Member States implied enormous challenges, among others for the flows of people and goods, in those cross-border spaces situated in critical gateways, like the Brenner Pass, linking Austria and Italy, and the Øresund Bridge, between Denmark and Sweden (Council of Europe 2018). Despite similar migratory pressures in several cross-border territories in Europe, the Euroregion Tyrol – South Tyrol – Trentino (Euroregion T-ST-TN or the Euroregion), i.e. the cross-border space between Austria and Italy, has been the only cross-border region that collaborated on immigration at cross-border regional level.

In 2015, this cross-border region – composed of the Austrian Land Tirol² and the two Italian Autonomous Provinces of Bozen/Südtirol and Trento³ – decided to cooperate in the field of migration governance, *de facto* becoming the first – and so far unique – case of CBC in the field of security and border controls. Indeed, so far, CBC has been observed only in economic and social policies, such as tourism and education (Harguindéguy and Sánchez Sánchez 2017; Zillmer et al. 2018). The collaboration on immigration resulted from the intense migratory pressures from Italy to Austria through the Brenner Pass, which registered over 27,311 migrants crossing that border in 2015, without including those that arrived in Austria through illegal ways, against the usual yearly amount of 1,500 before the crisis (Zunino 2016). Indeed, the Euroregion is situated along the route that the migrants arrived in Italy through the Mediterranean Sea used to take to reach Northern Europe.

¹ For the sake of simplicity, the intense migration flows towards Europe started in 2015 are referred to as 'refugee crisis' in this paper. Thereby, I do not intend to attribute the negative connotation of the word 'crisis' to those human beings who were forced to leave their countries and/or are seeking asylum in another country.

² Hereinafter referred to as Tyrol, according to the English translation.

³ The Autonomous Provinces of Bozen/Südtirol and Trento constitute the Autonomous Region 'Trentino-Alto Adige/Südtirol'. Due to the peculiar autonomy that characterises these two entities upon the Italian Constitutional Law, they are considered distinctly. Moreover, following the English translation, the Province of Bozen/Südtirol is hereinafter called South Tyrol, while the Province of Trento is referred to as Trentino.

The research focus of previous scholars has been restricted to traditional cases of CBC (e.g. Perkmann 2003; De Sousa 2013), thus not being able to explain why the Euroregion decided to act jointly on such a sensitive issue, which is usually a national competence. To address this gap, this paper aims at identifying the driving factors that led to the cooperation of the Euroregion, by explaining *why the Euroregion Tyrol-South Tyrol-Trentino decided to cooperate on immigration during the 2015 refugee crisis*. To unravel this query, this article builds on post-functionalism to explain the rationale behind the development of a policy on immigration at cross-border regional level. Based on that, a post-functionalist framework of CBC is developed, which suggests that the joint policy under examination can be explained by functional and identity drivers. To conduct the investigation, I rely on official documents and interview data. The latter has been collected in Tyrol, South Tyrol, and Trentino by conducting 8 in-depth interviews with people directly involved in the joint action as well as researchers. Through a qualitative content analysis, the study shows that functional and identity pressures led the Euroregion T-ST-TN to take a common initiative, while some secondary factors, such as the institutional design of this cross-border space, have facilitated the cooperation. Overall, the article offers a substantial theoretical contribution in the literature on CBC. On the one hand, it allows to capture the potential of CBC in contested policy areas and it can shed some light on the capability of cross-border territories to become actual policy actors in the European multi-level governance framework. On the other, by drawing on a theoretical framework that has never been applied to regional cross-border governance, this study introduces an additional perspective to study CBC.

This paper is structured as follows. Chapter 2 briefly illustrates the state of play in the literature on CBC concerning the determinants of CBC, and it presents an *ad hoc* theoretical framework developed to explore the case in question. Chapter 3 introduces the primary data collected for the investigation and the method used to conduct the analysis. In chapter 4, the analysis' findings are presented and discussed, while the last chapter recapitulates the main results and derives some general implications from the study.

II. Regional Cross-Border Cooperation: An Unfulfilled Research Agenda

a. Understanding the Common Acting Capability of Cross-Border Regions

CBC is a multi-faceted subject, mainly because of the diverse historical nature of the creation of cross-border spaces across Europe and the different frameworks that border regions use to collaborate. Following the definition provided by Perkmann (2003), CBC can be defined as ‘a more or less institutionalized collaboration between contiguous subnational authorities across national borders’ (p.156). For the purpose of this paper, this definition of CBC is adopted, since it encompasses the most traditional and frequent typology of CBC in the EU, despite some forms of CBC may also extraordinarily entail the cooperation between non-contiguous sub-state territories (Gänzle 2016). CBC is one of the three subsets of territorial cooperation, an important principle for the European Union (EU) and its Cohesion Policy (Gänzle 2016). Over the years, different instruments of CBC have been developed and cross-border spaces across the EU have adopted diverse frameworks of cooperation – from spontaneous and bottom-up initiatives to Public Law Agreements. In particular, the European Grouping of Territorial Cooperation (EGTC) is the first EU legal tool granting legal capacity to territorial cooperation, and it is often adopted by cross-border regions to institutionalise their cooperation (Engl, 2016). This instrument gives CBC the character of an institution, and the Euroregion T-ST-TN operates precisely under this legal framework.

A comprehensive body of literature has so far provided a classification of the factors accounting for the establishment of common projects at cross-border regional level. Among others, the main determinants on which scholars agree refer to economic factors (e.g. Keating 1998; De Sousa 2013; Sohn 2014; Durand 2015), political leadership (e.g. Keating 1998; De Sousa 2013), institutional features (see Perkmann 2003, Durand 2015; Harguindéguy and Sánchez Sánchez 2017), as well as cultural and identity proximity (for instance De Sousa 2013; Sohn 2014). Yet, the scholarship on CBC has not engaged in the analysis of CBC practices by studying the causes of specific joint actions in a holistic perspective. Indeed, existing studies do not embrace a cross-border practice in its entirety, but they tend to consider each factor separately, thus sometimes disregarding the interplay of drivers that traditionally characterises CBC. In other cases, the drivers of cooperation have been identified by analysing examples of CBC in general and not by examining single policies. Therefore, previously developed theoretical approaches do not enable to fully account for the allocation of a policy to the level of cross-border regions.

Another set of literature, mainly aimed at delivering descriptive assessments of practices of cross-border governance, has identified the policy areas in which cross-border spaces deliver common projects. Cross-border regions sharing a common identity, for instance, are more likely to cooperate on socio-cultural issues, while cross-border spaces that share a geographical element, e.g. a river, develop more infrastructure projects (De Sousa 2013). This has incentivised scholars to develop various mappings of policy sectors in which cross-border regions are active (Harguindéguy and Sánchez Sánchez 2017; Durà et al. 2018; Zillmer et al. 2018). Overall, these mappings reveal that the policy activity of cross-border regions is limited to mainly functional and economic driven issues, such as transportation and tourism (Harguindéguy and Sánchez Sánchez 2017; Durà et al. 2018; Zillmer et al. 2018). At the time of writing, all available mappings of policy activity of cross-border regions show that no cross-border territory has so far managed to develop a joint action in a sensitive or contested policy area, such as the management of migration flows, security, and border controls (e.g. Zillmer et al. 2018). This opens the space for a debate on the role of cross-border regions as actual policy actors in the European multi-level governance system.

The case of the Euroregion T-ST-TN cooperating on immigration stands for a unique case of CBC in ‘high politics’ issues, i.e. security and border controls. Specifically, the joint action of the Euroregion was twofold. First, the Executive Board of the EGTC⁴ T-ST-TN established the ‘Task Force Refugees’, a working group composed of representatives from the departments of the three administrations dealing with migration governance as well as the Austrian and Italian police forces. Second, the three regional presidents also pursued a joint political action in lobbying Austrian, Italian, and European decision-makers to take further action and support the most affected regions (Council of Europe 2018). The CBC practice examined here thus constitutes an interesting case to explore, because it can show which drivers have enabled CBC in a sensitive policy field. Given its distinctiveness, this case has been the subject of a previous study by Engl and Wisthaler (2018). The two scholars have investigated the convergence of the political discourse on refugees and asylum seekers in the sub-state parliaments of the three entities of the Euroregion (Engl and Wisthaler 2018). From their analysis, Engl and Wisthaler (2018) have concluded that the three territories showed substantial differences in the political debate on immigration. Nonetheless, the study does not explain how these divergences have been overcome and why there has been cooperation at cross-border level anyway. This paper fills this lacuna and explains why a policy on immigration

⁴ Hereinafter the term EGTC is used to refer to the specific organisational structure of the Euroregion T-ST-TN. For instance, I use EGTC when mentioning specific organs, such as the Executive Board.

was delivered at cross-border regional level, by exploring – in a holistic manner – the factors that have led to the cooperation of the Euroregion T-ST-TN.

b. A Post-Functionalist Framework of Regional Cross-Border Cooperation

Due to the lack of a holistic perspective, the traditional approaches to study CBC are not appropriate for this study. Therefore, I draw on the scholarship on multi-level governance, a concept used to describe the diffusion of decision-making authority across multiple tiers of governance: European, national, regional, and local (Hooghe and Marks 2003). Specifically, I rely on Hooghe and Marks, the two leading scholars in the field, who have explored and theorised how authority is allocated across multiple tiers of government in the EU, as well as which jurisdictional design best suits which kind of policies. Hooghe and Marks developed the post-functionalist theory to explain European integration by considering the system of multi-level governance in Europe and the dynamics that impact on European integration. Their starting point coincided in the will to explain the new system of governance that characterises the EU, in which domestic politics is no longer detached from the supranational one (Hooghe and Marks 2009). Overall, their core argument lies in their understanding of the jurisdictional design, which they contend to be the product of identity, functional, and – to a lesser extent – distributional pressures. Functional pressures mainly correspond to the aim of achieving the desired objective through an efficient governance, for instance from an economic point of view. Identity, on the other hand, is said to play a role in the allocation of authority in underlining the preferences over the jurisdictional design for a specific policy. More specifically, since the post-functionalist theory has been originated as a theory of European integration, the concept of identity is mainly linked to national identity, and how the latter influences public opinion over the EU. Finally, distributional pressures focus on the distributional implications both from an economic and political point of view.

Post-functionalism has been later applied to regional government by Schakel (2009), who has studied the policy provision across regional government tiers. To do so, Schakel (2009) has transferred the main ideas of the post-functionalist theory to the case of regional government, thus identifying the functional, distributional and identity pressures that might lead to the decentralisation of a policy at regional level. Ultimately, Schakel (2009) has shown that functional and identity pressures determine the allocation of policies across government tiers.

Although the post-functionalist theory was originally developed to understand European integration (Hooghe and Marks 2009), I suggest that it can also be applied to this study, which aims at understanding the rationale behind

the development of a policy on immigration at regional cross-border level. Specifically, I assume that post-functionalism applies also to the cross-border regional level for two reasons. First, CBC, similarly to European integration, can be conceptualised as the allocation of authority upward from the central state and from the regional level to cross-border regional level. Secondly, the process that lead to the development of policies at cross-border level is analogous to the one at EU level, even though at a smaller scope. This is substantiated by the argument that cross-border regions are often considered small size laboratories of EU integration (see De Sousa 2013), since they represent the merging of interests of territories belonging to different countries.

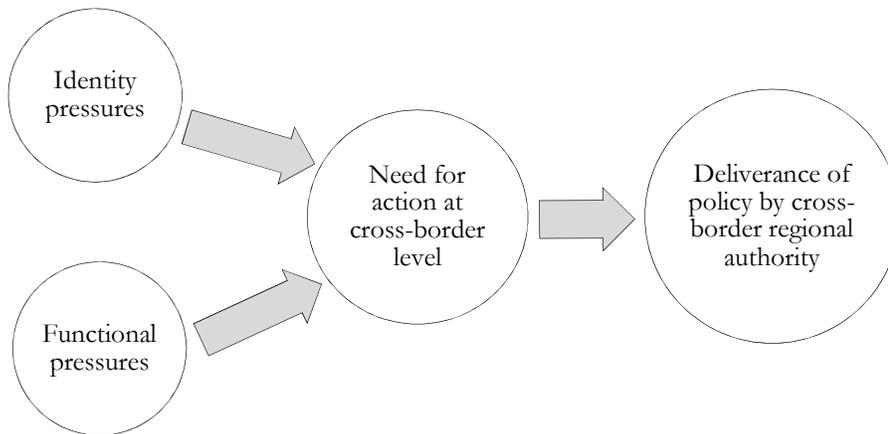
To apply to CBC a theory that has been used to explain decentralisation for European integration (Hooghe and Marks 2009) and regional governance (Schakel 2009), a process of adaptation of the theory to a new government tier, i.e. the cross-border regional one, is needed. To do so, functional, identity, and distributional pressures for the cross-border regional level need to be conceptualised. To this purpose, I draw on the application of post-functionalism to both European integration (Hooghe and Marks 2009) and regional government (Schakel 2009) and transfer it to the case of CBC. The three factors affecting decentralization can therefore be categorized as follows. Functional pressures refer to the functional and economic features of policies, such as externalities. At cross-border regional level, this means that a policy is provided at this level when there are clearly functional, economic-led, and efficiency-led reasons for its allocation at cross-border level. Identity pressures focus on the Euroregional identity and the presence of ethnic minorities. In other words, this refers to a policy being the expression of the cross-border population. In the case of cross-border regions, identity pressures can be understood as the ideational ties, i.e. the feeling of belonging to the cross-border area, which lead the local community to ask for the provision of a policy at cross-border regional level. Lastly, distributional pressures focus on the political opportunity structure offered to the cross-border regional decision makers. This suggests that cross-border institutions are empowered by the European integration process, since the latter has allowed for the development and recognition of cross-border regions. However, this factor – namely distributional pressures – is not considered in the present analysis, because it is here understood as the pre-existing condition that enables the cross-border region T-ST-TN to exist and cooperate. In sum, following post-functionalism, I argue that the provision of a policy at cross-border regional level may be explained by both functional and identity logics. Table 1 below summarises the classification of functional and identity pressures on cross-border regional authority, while figure 1 illustrates the post-functionalist framework of cross-border regional government.

Table 1: Description and Examples of Functional and Identity Pressures

Type of pressure	<i>Functional pressures</i>	<i>Identity pressures</i>
General description	Externalities	Euroregional identity and presence of ethnic minorities
Examples	Functional and economical characteristics of a policy lead to its allocation at cross-border regional level	Presence of a strong Euroregional identity leading to the tailor of policies towards the demands of the cross-border population

Source: Own elaboration, based on Schakel (2009).

Figure 1: A Post-Functionalist Framework of Regional Cross-Border Cooperation



Source: Own elaboration, based on Schakel (2009).

Considering the specific case under examination, I hypothesise that the joint policy response of the Euroregion T-ST-TN on immigration can be explained by functional and identity pressures. In the case of the governance of immigration at the border between Trentino-South Tyrol and Tyrol, I assume that functional pressures coincided in: (a) the need to tackle the challenges brought by the high number of refugees in the cross-border region, and especially at the border; (b) the need to avoid negative externalities caused by the non-activation, such as the closure of the border and the re-introduction of border controls. Besides, identity pressures might have manifested in the demand of the population of the three territories to avoid the closure of the border because it would have generated a profound divide for a community that shares a common identity, and partially the same language, despite belonging to two different states. Indeed, this cross-border space shares a long history of cooperation that traces its origin from the common belonging to the County of Tyrol until 1919, when South Tyrol and Trentino were annexed to Italy (Engl and Wisthaler 2018). Strong cultural, linguistic, social, and economic ties have therefore always existed among the three sub-state territories (Engl and Wisthaler 2018). Overall, the choice of a post-functional framework for the analysis confers an original – and at the same time highly comprehensive – angle of observation of the case in question.

III. Data and Methodology

This study consists in an in-depth analysis of an outlier case of regional cross-border cooperation on immigration. The case of the Euroregion T-ST-TN was thereby chosen because it represents a unique case of CBC on this matter. Being it the first exploratory investigation of such case under this perspective, this paper is entirely focused on the identification of the driving factors of this singular example of collaboration.

a. Data Collection

The first primary data source for the analysis consists of three types of documents. First, the minutes of the meeting of the EGTC's Executive Board which deliberated the creation of the 'Task Force Refugees' as well as two follow-up meetings on the same issue. Second, the press releases of the three entities and the EGTC on the joint initiative have been gathered. Finally, the last edition of the so-called 'Euregio Monitor', i.e. a regularly conducted survey that collects the opinions of the citizens of this cross-border region on diverse issues, is also considered. Overall,

the selected time frame goes from 2015 to 2017, namely the period in which the ‘Task Force Refugees’ was in place and the three regional presidents acted together on the issue.

Although the collected documents fit the purpose of the investigation, they tend to lack in-depth information about the reasons behind the joint initiative. This was due to the confidentiality that characterises the issue of migration governance, and which impedes the proliferation of detailed information on such a sensitive issue. Therefore, additional data was gathered by conducting eight in-depth interviews. Six interviews have been carried out with different actors directly involved in the joint action. In addition, further interviews have been conducted with two researchers with the purpose of validating the information collected through the insiders of the CBC practice under examination. The two experts were chosen for their high expertise on the cooperation of the cross-border region in question and the issue of immigration in Europe’s border regions, evidenced by scientific publications, consultancy for international institutions and cross-border projects. As agreed upon with the respondents, all the interviews have been anonymised in light of the sensitive policy issue under examination. They will be referred to as ‘Interviewee 1’, ‘Interviewee 2’, etc, followingly a randomly chosen order. To enable the observation of similarities and divergences, the interviews followed a semi-structured method, and all the main questions were formulated as open-ended question to encourage comprehensive answers. To avoid information bias and ensure reliability, the exchange of information with the interviewees on the research was kept at the minimum before the interview. Furthermore, to ensure validity, people originating from – and working for – all the three territories have been selected. For this reason, the interviews were conducted in German and Italian, whenever the respondent was not fluent in English. As for documents, for the purpose of the analysis, any translation is provided by the author. Lastly, all interviews have been audio-recorded and transcribed to facilitate the analysis.

b. Method

I conduct a qualitative content analysis of both documents and interview data. This method consists in counting, usually keywords or content, and followingly interpreting the underlying context of textual data, thus enabling to capture both its manifest content and a more latent and hidden content (Mayring 2000). To conduct the investigation, I rely on the use of the qualitative data analysis and research software ATLAS.ti, which guarantees credibility and a systematic nature to the analysis (Mayring 2000). The analysis follows a two-step approach, which

allows for a more comprehensive and not biased understanding of the phenomenon under investigation. First, a deductive approach is adopted, which consists in assigning pre-defined codes to the above-mentioned textual data. In other words, following the post-functionalist framework, I examine data by finding evidence for functional and identity pressures based on the framework formulated in the previous chapter. For the functional pressures, references to crisis management and security issues, but also negative externalities in terms of transport, border controls, and economy are identified. Concerning identity pressures, instead, the analysis focuses on the search for a narrative centered on the common history, the meaning of the border at the Brenner Pass and the preferences of the cross-border population. Second, an inductive approach is adopted, which enables to define new codes, i.e. other drivers of cooperation, during the proofing of the data. The textual data has thus been further analysed in search for additional triggers of cooperation beyond those derived from the framework. In both stages, the investigation has concentrated on purpose clauses (e.g. ‘in order to...’) and reason clauses (e.g. ‘since...’ or ‘because...’), which both answers to the question ‘Why?’ and are aimed at stating the purpose and why something was done. In doing so, a codebook is created, which confers replicability to the analysis and provides the definition of the codes assigned to the texts.

Table 2: Coding Agenda

Coding Categories	Codes	Definitions
Functional Pressures <i>(Post-Functionalism 1)</i>	Crisis management	Pressures given by intense migration flows in the cross-border region as a reason to cooperate.
	Economic repercussions	References to economic losses in case of closure of the border.
	Border controls	References to the necessity of cooperation to avoid the introduction of border controls.
	Transport and mobility	References to problems with transports (railway, highway) and mobility of people due to the migratory pressures and in case of closure of the border.
	Security	References to security issues, necessity to have controls, activation and involvement of polices forces.
Identity Pressures <i>(Post-Functionalism 2)</i>	Common history	Reference to the feeling of belonging to one single ‘region’ derived from a shared memory as reason to cooperate to avoid the closure of the border.
	Symbolic nature of the Brenner Pass	Reference to the border at the Brenner Pass as symbol of historical significance that needs to be preserved.
	Population preferences	The cross-border regional community asks for cooperation at Euroregional level in the field of immigration.

Institutional Design <i>(Inductive 1)</i>	EGTC as a facilitator of cooperation	The EGTC has facilitated the joint policy to take place at cross-border level.
	Socialisation effect given by EGTC	The organizational structure of the EGTC has led to the creation of common practices and norms that have led the three regional presidents to act together.
Geographical Driver <i>(Inductive 2)</i>	Geography	References to the peculiar geographical location of the Brenner Pass as an incentive to cooperate.
Pro-EU Mindset <i>(Inductive 3)</i>	Open Borders	References to a pro-EU discourse in favour of open borders throughout the EU as incentive for cross-border cooperation.

Source: Own elaboration.

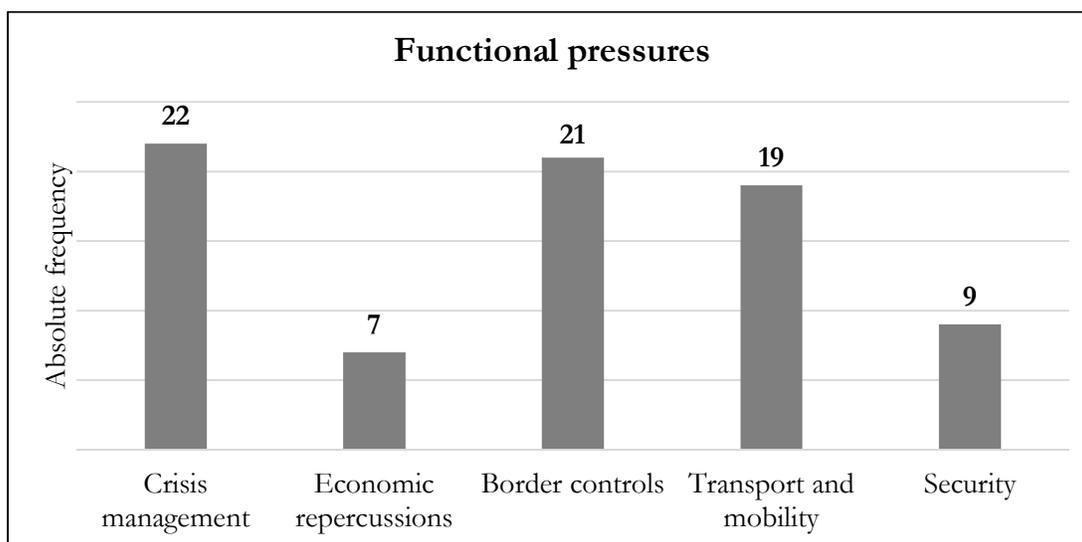
IV. Analysis

a) An Interplay of Multiple Drivers

i. Functional Drivers

Throughout the investigation through the lens of post-functionalism, several rational, economic, and practical aspects have been identified as determinants of cooperation. Figure 2 below shows the results for the coding group 'Functional pressures'.

Figure 2: Functional Pressures



Source: Own elaboration based on the findings of the analysis conducted with ATLAS.ti. Sum codes for 'Functional pressures': 78.

To begin with, the action of the Euroregion presents itself as a joint crisis response. Crisis management is *per se* dictated by functional pressures⁵, because it deals with decisions that aim at solving problems, preventing the deepening of a crisis, and try to reduce the negative consequences brought by a critical juncture. In line with that, the analysis has allowed for the identification of numerous references to the joint action as the will of managing together the crisis scenario. This aspect is well captured in expressions like 'the urgency to manage the flows of

⁵ In the case of the migratory pressures in T-ST-TN, the discourse was based on the management of the arrivals, but not in terms of refugee integration. Indeed, this cross-border space has resulted in a mere area of transit for refugees and asylum seekers that crossed this territory to reach Germany and Sweden. Thus, the crisis management described here does not refer to the need for integrating the refugees, but only for supervising the flows and ensuring a smooth transiting of the refugees. This stresses the functional logic behind this kind of crisis management.

refugees and asylum seekers' (Europaregion 2016a, para. 2) or 'the main topic was certainly the management of the situation of the migration route along the Brenner Pass' (Interviewee 4 2019, personal communication, 6 June). Much attention, therefore, was put on the numbers of refugees transiting across the cross-border space, which constituted the central reason for the establishment of the 'Task Force Refugees', which had the objective of 'monitoring the arrivals' (Interviewee 5 2019, personal communication, 6 May) and 'facilitate a controlled governance at the Brenner Pass' (Europaregion 2016c, para. 4). The issue clearly presented a cross-border character, which turned into the necessity to share information about the number of refugees and other technical details at Euroregional level (e.g. Interviewee 6 2019, personal communication, 9 May). This necessity suggests an efficiency-driven reasoning, because the sub-state territories alone could have not been so efficient and successful if they had not worked together at cross-border regional level.

The examination of documents and transcripts of interviews has further shown that the discourse was centred also on the possible closure of the border at the Brenner Pass. For instance, the three regional presidents openly pointed out that 'the absolute necessity [is] to find alternative solutions to avoid the re-introduction of the frontier' (Europaregion 2016d, para. 13). This aspect has also emerged as the core underlying issue at the basis of the work of the 'Task Force Refugees', as mentioned by an interviewee who defined it as 'the main topic of discussion in the working group' (Interviewee 5 2019, personal communication, 6 May). Interview data has allowed for a comprehensive understanding of the motives behind the open frontier. Among others, a respondent pointed out that 'the atmosphere, the political discourse, and the perception of the population in South Tyrol changed dramatically when the closure of the border became more probable' (Interviewee 4 2019, personal communication, 6 June). This was so because citizens and political authorities in the first place acknowledged the concrete consequences that the re-establishment of the border would have caused 'both for the migratory pressure and for a more general impact on the territories' (Interviewee 4 2019, personal communication, 6 June).

Moreover, the analysis has outlined the existence of functional pressures in relation to transport and mobility. The discourse of the three regional presidents, in particular, focused on the Brenner Pass as the main traffic route between Italy and Austria both for goods and people (Europaregion 2015, para. 7). The closure of that border and a mismanaged situation at the frontier, therefore, would have caused several problems for trade, tourism, and in general for the numerous commuters that cross the border every day (e.g. Interviewee 2 2019, personal communication, 6 May; Interviewee 5 2019, personal communication, 6 May; Interviewee 1 2019, personal

communication, 7 May). This aspect appears to be one of the main drivers of cooperation, being it also directly mentioned in the EGTC deliberations. Indeed, the EGTC Resolution of February 2016 explicitly referred to the circulation of goods and people by claiming that the Brenner Pass could have never become a ‘bottleneck’ (Euregio 2016, p.4). In other words, a coordinated action at Euroregional level could have avoided immediate negative repercussions on the territories on either side of the border. This reasoning is in line with a functional logic. Indeed, the interdependence among the three territories consolidated through previous cross-border practices has made the three territories prefer more policy coordination, i.e. a common action, to avoid negative externalities. To this regard, an interviewee’s statement is particularly significant:

There was a strong strong ratio on this collaboration because everybody was aware that the Brenner Corridor is a very very intensive route, with a lot of goods, with a lot of tourists, and with a lot of local population crossing this border every day, and for holidays, and so on. And that the closure of this border would have meant a lot of problems in the daily life. Imagine the problem for the Italian industry if this route is closed for some days, because of riots of refugees there at the Brennero Pass, or for a student of South Tyrol who does not reach the University in Innsbruck or vice versa. (Interviewee 2 2019, personal communication, 6 May; emphasis added)

This quotation allows for a clear understanding of the functional logic that has pushed for the joint response, because it comprises all the major negative effects of a possible closure of the border. As indicated by the respondent, the discourse was focused on the costs that a non-agreement would have implied. The economic losses, the difficulties for the free movement of people, and negative repercussions on tourism represented the main concerns for the three presidents, thus pushing for a coordinated intervention.

In addition, security issues also constituted a reason for an immediate action at Euroregional level. For instance, the three presidents jointly affirmed that ‘our main commitment consists in guaranteeing security’ (Provincia Autonoma di Bolzano 2017, para. 2). To do so, the local decision-makers identified cooperation at cross-border level as the desirable level at which security should have been coordinated. As an example, the then President of Tyrol announced that in order to grant security, a strong cooperation between the police forces of both the Land Tyrol and Italy, and therefore a non-unilateral action, was indispensable (Europaregio 2016d). This is further substantiated by the fact that police forces of the three territories have participated in some meetings of the ‘Task Force Refugees’ upon requests of the EGTC T-ST-TN (Interviewee 6 2019, personal communication, 9 May).

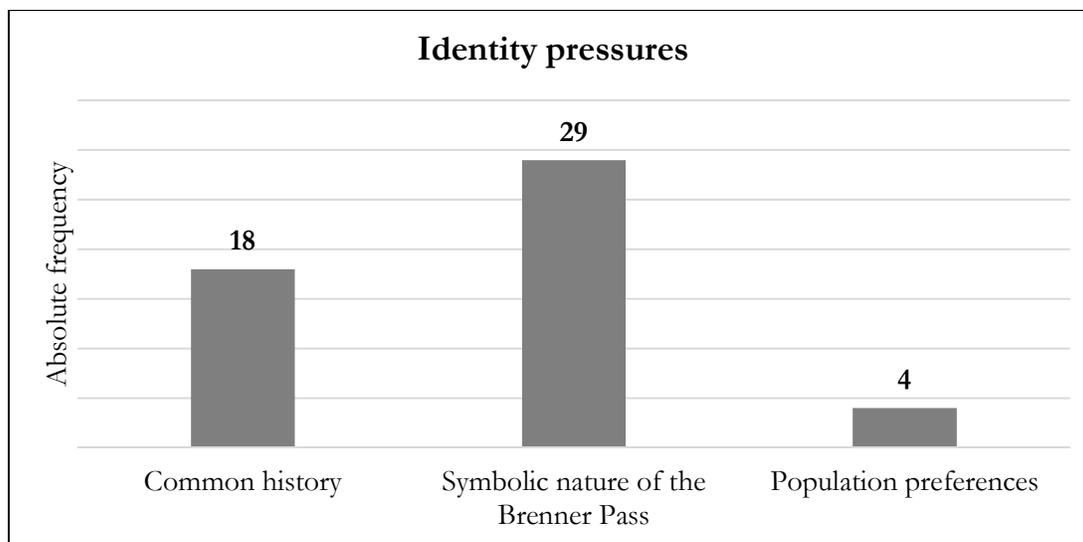
Finally, another evidence for the presence of functional pressures lies in the period of establishment of the ‘Task Force Refugees’. As specified by all interviewees, the expert working group is not active anymore. To be precise, the ‘Task Force Refugees’ has *de facto* never been dismantled (Interviewee 5 2019, personal communication, 6 May), yet the meetings have become more and more rare over time (e.g. Interviewee 6 2019, personal communication, 9 May). This suggests that it was created to face a particular critical moment, thus demonstrating that significant functional pressures, which materialised in the urgency of mastering the crisis, have been an undeniable factor that triggered the cooperation.

To validate my findings, I rely on the interviews conducted with two researchers, who both highlighted the short-term character of the common initiative on immigration dictated by the nature of the cooperation, i.e. crisis management. Interviewee 8, for instance, claimed: ‘Of course, what induced them to cooperate was just this crisis situation and it was very much an ad hoc cooperation’ (Interviewee 8 2019, personal communication, 8 May). More specifically, Interviewee 7 mentioned the possible re-introduction of border controls as a concrete fear that acted as a driver for the cooperation: ‘I think one issue was the border controls at the Brenner border [...] because none of the three [territories], of course, wanted them. So, this led the three presidents to act together’ (Interviewee 7 2019, personal communication, 8 May). Therefore, researchers have supported the presence of functional pressures - as one of the major determinants of cooperation - too.

ii. Identity Drivers

The post-functionalist framework has enabled to examine the textual data by considering identity as a driver for the deliverance of the common policy at cross-border regional level. Overall, both documents and interviews have indicated that the strong unity that distinguishes this cross-border area played a crucial role in the decision of the cooperation at Euroregional level. More precisely, the identification of the Euroregional identity as a driver for cooperation has occurred along two main dimensions. First, several references to the common history and the need to preserve the ‘historical region of Tyrol’ have been found. Second, the symbolic nature of the Brenner Pass has also emerged as a factor that has mobilised the Euroregion. Furthermore, some references to the preferences of the local community have also been found. Figure 3 below shows the results for the coding category ‘Identity pressures’.

Figure 3: Identity Pressures



Source: Own elaboration based on the findings of the analysis conducted with ATLAS.ti. Sum codes for 'Identity Pressures': 51.

Concerning common history, all types of sources analysed have shown evidence of the historical/identity element as a driver of CBC. This has been expressed as the will to avoid the suspension of the historical path conducted by – and through – the Euroregion (Europaregion 2015, para. 4), which would have occurred if the situation had not been managed and the border had been closed. This aspect was clearly emphasised in a meeting of the Executive Board of the EGTC T-ST-TN, where it was stressed that cooperation was important 'to avoid that the efforts made in the last years of intense cross-border collaboration could damage the newly re-found unity of the area of the historical region of 'Tyrol' (Provincia Autonoma di Bolzano 2016b, para. 2).

Moreover, interviews have provided further comprehensive insights into the ideational dimension of CBC. Most respondents have referred to the common identity as one of the reasons why the Euroregion decided to take action to tackle the problem of the intense migration flows (Interviewee 2 2019, personal communication, 6 May; Interviewee 1 2019, personal communication, 7 May; Interviewee 3 2019, personal communication, 10 May). In particular, the common past has emerged as the element that has allowed to overcome the political divergences on the issue of immigration among the three territories (e.g. Interviewee 2 2019, personal communication, 6 May). The divergence mainly consisted in different approaches towards immigration, for instance Tyrol was stricter, while South Tyrol had a more welcoming approach towards (Interviewee 4 2019, personal communication, 6 June).

However, the strong Euroregional identity led the three territories to take a joint response to avoid a new internal division. This can be understood, for instance, from the following statement:

One can be different from each other, but it is possible to find some aspects in common in the name of a superior interest; and, in this case, *this [the superior interest] was the preservation of the unity of the historical region of Tyrol.* (Interviewee 1 2019, personal communication, 7 May; emphasis added)

This quotation unveils an important socio-cultural aspect connected to the challenges brought by the migratory pressures. The maintenance of a cross-border region with no re-introduction of the border was thus driven also by the shared identity, which derives from a common past, and which has ultimately pressed the three presidents to act jointly.

The analysis has further revealed that the Euroregional initiative has been linked to a rhetoric on the symbolic nature of the Brenner Pass too. The Brenner Pass corresponds to the point of the frontier between Italy and Austria where refugees tried to cross the border. Nevertheless, it constitutes only a small part of a longer border line between the Italian Autonomous Region Trentino-South Tyrol and the Austrian Land Tyrol. Yet, it represents the main corridor used for the circulation of goods and people from North to South and vice versa. For this reason, it was also the main route of refugees directed towards the North of Europe. In the textual data, the term 'Brenner Pass' is also used as a metonymy to indicate the border between the two states.

The distinctive relevance of the Brenner Pass has been recalled in the first place in the EGTC resolutions. In particular, it is openly stated that the three sub-state territories considered it indispensable to activate themselves and act at each level of government because of the special nature of the Brenner Pass and the historical significance that it enshrines (Euregio 2016). Furthermore, the press releases have also highlighted the historical legacy of the border between Trentino-South Tyrol and Tyrol. All three regional presidents have declared in both press conferences and meetings that a common policy needed to be defined to preserve the historical and symbolic meaning of the border at the Brenner Pass, because this is a unique border in Europe (e.g. Europaregion 2016d). Besides, in some joint declarations of the presidents, some words are used that connote a particular ideational tie, which is also presented as a justification of the decision to act at Euroregional level. For instance:

It must be considered that the Brenner represents a particular place in Europe, and exactly because of its distinctiveness, *this border demands a common engagement*. (Provincia Autonoma di Trento 2017, para 4; emphasis added)

Moreover, the special attachment of decision makers and citizens of the Euroregion to the Brenner Pass further suggests that the preferences of the local population have also played a crucial role in the establishment of a policy by the EGTC. This assumption is corroborated in the so-called Euregio Monitor 2018, which has reported that in 2015 and 2017 the citizens of all the three territories believed that the Euroregion should collaborate more on both security and immigration (Traweger and Pallaver 2018). This aspect has been captured also in a press release, which reports that ‘citizens feel the necessity to cooperate’ (Euroregion 2016d, para. 9). By looking at this aspect through the lens of post-functionalism, it can be argued that the provision of the policy on immigration at Euroregional level has been the result of the preferences of the local population, which differ considerably from those of the rest of the Italian and Austrian population due to the peculiar common past. The decision of the joint action was therefore tailored to the demands of the population that lives in this cross-border space, while making the national tier losing part of its role in the policy provision.

Finally, the importance of the symbolic meaning of the Brenner Pass in stimulating the three presidents to bring immigration on the agenda of the EGTC has been substantiated by interviewees too. Among others, the necessity for the Euregio to mobilise has been clearly highlighted by a respondent, who has argued that by announcing a possible re-introduction of the border, the Austrian government has forced the Euroregion to deal with the issue of immigration, because nobody in T, ST, and TN wanted a new frontier (Interviewee 1 2019, personal communication, 7 May). According to Interviewee 1, this was mainly due to the fact that the re-establishment of the border would have harmed the unity that characterises the cross-border region (Interviewee 1 2019, personal communication, 7 May). Furthermore, another respondent claimed:

And then *there was a very very interesting drive*, also, that was quite clear, also from the international media. That this Pass, *this border is different from other borders*, because it's a symbol of European history. It's the symbol of the First World War and everything that happens afterwards. (Interviewee 2 2019, personal communication, 6 May; emphasis added)

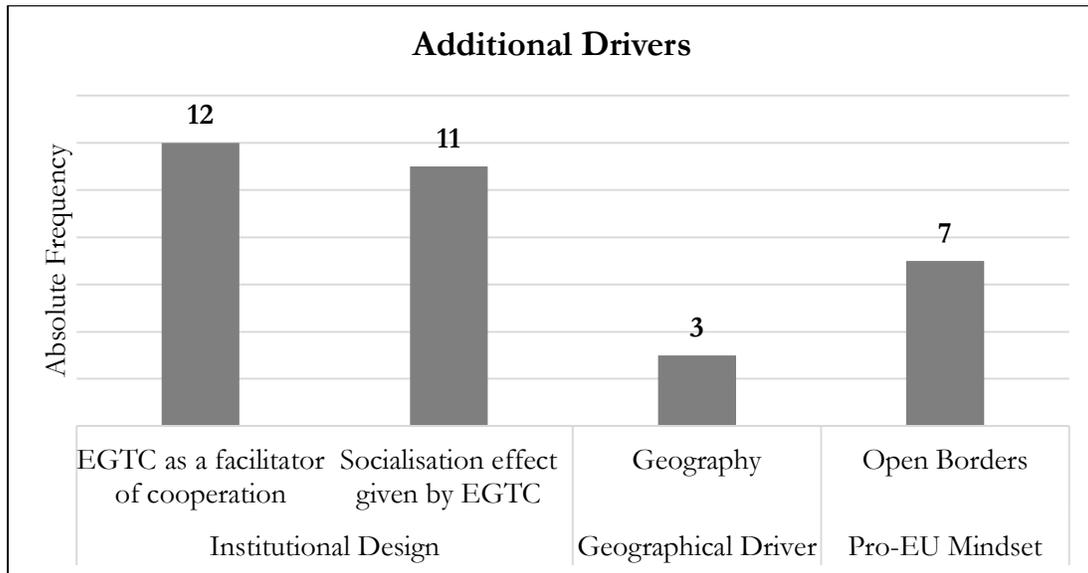
This statement refers to the unicity of the Brenner Pass as a distinctive element of this cross-border space, while also explicitly identifying it as a decisive driver of cooperation in the case of the creation of the ‘Task Force Refugees’ and the joint work of the three presidents.

The presence of identity pressures has been supported by the two experts, who stated that the common history of the Euroregion has also played a role in inducing the three presidents to act together. For instance, one researcher argued that in the case of the policy on immigration ‘there was some historical narrative’ and that ‘the cooperation was aimed at preventing the return of the horrors’ of the period of division of the three territories after the First World War (Interviewee 8 2019, personal communication, 8 May).

iii. Additional Drivers

The inductive approach adopted in the second phase of the scrutiny of the textual data has enabled to detect some additional factors that led the three presidents to develop a joint response to the migratory pressures. These determinants can be better defined as facilitating factors or secondary drivers because of both the lower recurrence in the texts and the secondary importance attributed to them in the texts. In total, as shown in figure 4, three additional drivers have arisen: (a) institutional design; (b) geographical driver; (c) pro-EU mindset.

Figure 4: Additional Drivers



Source: Own elaboration based on the findings of the analysis conducted with ATLAS.ti. Sum codes for the inductive coding: 33.

The first facilitating factor has been the institutional design that characterizes the CBC in the cross-border region under examination, namely the EGTC. Over time, the organizational structure of the EGTC has favoured an integrated governance (Interviewee 1 2019, personal communication, 7 May). The practice of cooperating together on issues that have cross-border character, and therefore which affect all the three territories, has become part of the *modus operandi* of the three presidents (Interviewee 3 2019, personal communication, 10 May). This aspect has been underlined by all interviewees. For instance, one claimed that the institutionalisation has been considerably important ‘because they [the three regional presidents; author’s note] are used to work together, to take decisions together’ (Interviewee 2 2019, personal communication, 6 May). ‘The fact that we have to manage a common – even though small – budget and adopt very concrete actions together; the fact that we work in a continuous way; the fact that we meet at least four or five times within a year – stated Interviewee 1 – has facilitated the cooperation at Euroregional level’ (Interviewee 1 2019, personal communication, 7 May). This signals that the institution of the EGTC clearly structured the interactions among the presidents, making them well disposed towards the cooperation in further policy areas.

Secondly, the Brenner Pass – understood as a physical and geographical element – has also urged an activation of the control of the border by people that have experience with the peculiarities of this place. As pointed out, *inter alia*, by Interviewee 2, ‘the Brenner Pass has a very bad position because it’s the highest place on the border’ (Interviewee 2 2019, personal communication, 6 May), and therefore it is a cold and windy place. This has thus forced the territories to cooperate to avoid problems, especially during the winter season, for the refugees that could remain stuck at the border because of bad weather conditions (Interviewee 5 2019, personal communication, 6 May). In other words, local people from either side of the border had the appropriate expertise and experience to deal with the issue of the Brenner Pass, and this has encouraged the cooperation.

Lastly, the analysis has outlined that the discourse of the three regional presidents often concentrated on the importance of the abolition of internal frontiers within the EU. This was related not only to the peculiar history of the Euroregion in question, as explained above, but also, more in general, to the softening of borders throughout the EU. Furthermore, positive references to the European project and its achievement concerning peace and the Schengen Agreement can be found as a sort of pro-EU mindset that triggered cooperation. This took the shape of a political message that the presidents wanted to send, and which is well summarised in their joint statement:

‘The main will of the Euregio [...] is the removal of national borders’ (Europaregion 2016b, para. 5). The presidents, therefore, were also motivated to cooperate to avoid the closure of the border, because it would have meant the failure of the supra-national unity and European integration, which is considered strongly important in the Euroregion.

From the researchers’ perspective, the institutional design of the EGTC has emerged as a facilitating factor. Indeed, the scholars affirmed that the long-standing and close cooperation under the EGTC has facilitated the creation of a cross-border regional initiative because the presidents already knew each other and there were pre-existing communication channels that brought together the three presidents (Interviewee 7 2019, personal communication, 8 May; Interviewee 8 2019, personal communication, 8 May). Nevertheless, no mentioning of geography and a pro-EU attitude of the three presidents has been detected in the researchers’ answers.

b) Not All Determinants Are the Same

As resulted from the analysis and corroborated through two interviews with experts on the field of CBC, the case under investigation has been determined by a variety of elements that have led to the policy outcome. However, the causes identified can be grouped into two main categories: drivers of cooperation on the one hand and facilitating factors on the other. Functional and identity pressures have acted as remarkable drivers, while the institutional design, geography, and the pro-EU mindset have been contributing causes. The argumentation for this distinction is threefold. First, this has been proved by the frequencies of the different factors. Indeed, functional and identity drivers have recurred more often in both documents and interviews than the other determinants of cooperation. Secondly, the discourse of interviewees has emphasised the central role of functional and identity pressures with respect to the other elements. To bring an example, Interviewee 2 has listed the factors that led to joint initiative while ranking them from the most decisive to the least important, by using specific expressions: ‘The main point was [...]’ for the functional reasons; ‘And then there was a very very interesting drive’ for the Euroregional identity (Interviewee 2 2019, personal communication, 6 May). Thirdly, researchers have mentioned the same drivers, i.e. functional and identity drivers, as the two factors that have pushed the three presidents to take action at Euroregional level.

So far, I have examined *how* and *why* these drivers have mattered to the policy outcome in question. Now it is necessary to assess *how much* they impacted. This can be done by determining whether these variables are necessary, sufficient, or both. In a nutshell, a cause is necessary when it must be there for the outcome to occur, whereas a cause is sufficient if it always leads to the outcome that is investigated (Ragin 2000). To assess this, it is helpful to understand the context in which the joint action has occurred. The refugee crisis has clearly been an exogenous shock, which cannot be controlled, and which constitutes a necessary and sufficient cause for the policy initiative to take place. Indeed, there must be a refugee crisis, or at least intense migratory pressures, in order to have a policy on immigration. At the same time, intense migratory pressures always lead to a policy that aims at tackling the challenges derived from them. However, since this study deals with a particular case of allocation of policy making, i.e. the cross-border level, a step forward needs to be taken. In fact, since security and border controls do not usually belong to the policy portfolio of cross-border regions, the investigation has shown the specific factors that have led the Euroregion T-ST-TN to activate in the field of immigration. As explained above, the two most significant causes of the joint action have been functional and identity pressures. These drivers are both necessary, because without these two drivers, no joint initiative on the issue of migration would have been developed. These two determinants, indeed, have constituted two strong and specific pressures for the three territories, yet not in the same weight as for the two central governments of Austria and Italy. In other words, the economic repercussions, which would have occurred in case of non-activation, would have been particularly severe and immediate for Tyrol, South Tyrol, and Trentino, and not for Austria and Italy overall. At the same time, the Euroregional identity and the symbolic meaning of the Brenner are of utter importance within the cross-border region only, thus not constituting a priority for the two respective central states. Assessing sufficiency, instead, is more difficult here because I am dealing with an outlier case, thus making it impossible to compare to similar cases (Ragin 2000). Indeed, it is hard to conclude that whenever functional and identity pressures occur, a policy at cross-border regional level is developed. Nonetheless, the uniqueness of the case can be used to make a speculation. Since some other European sub-state border regions have been affected by the same issue, i.e. migratory pressures, but they have not initiated a policy at cross-border regional level, it could be argued that the combination of functional and identity pressures has been sufficient for the allocation of the policy at Euroregional level.

V. Conclusions

This paper has examined the common acting capability of the Euroregion T-ST-TN on immigration, by detecting the drivers that have led to the adoption of a joint action to keep the migratory pressures under control and tackle the challenges derived from them. In doing so, the analysis has shown *why the Euroregion T-ST-TN decided to cooperate on immigration during the 2015 refugee crisis*. Drawing on a qualitative content analysis of documents and interviews with key informants, I argue that this cross-border regional entity has decided to develop a common initiative to avoid the closure of the border at the Brenner Pass, which would have had functional and economic repercussions, as well as consequences for the ideational unity of the cross-border region. Concerning functional and economic negative externalities, the three territories were mostly concerned by the challenges that unregulated flows would have had on the circulation of goods and people, which would have had a great impact on their economies. Moreover, there were also security issues in place. Contemporaneously, the three entities also felt the pressure of the closure of the border as a threat to the unity of this cross-border region, which shares a strong common cross-border identity resulting from a common past and shared language. Specifically, the investigation has demonstrated that the symbolic meaning of the Brenner Pass has induced the Euroregion T-ST-TN to act together, because all the three entities have a particular attachment to this border. Next to these two main drivers, the analysis has also suggested that other determinants have played a role in encouraging the three territories to act jointly: the institutional design of the EGTC, the peculiar geographical position of the Brenner Pass, and a Europhile approach of the three regional presidents supporting an open border policy throughout the EU.

Overall, the findings have been validated and strengthened through the interviews conducted with two researchers, whose identification of the drivers of cooperation converges with the analysis' results. Despite that, this work possesses three major limitations. First, the scope of the paper is restricted to cross-border regional cooperation on immigration at EU level. Therefore, further potentially similar cooperation practices – both inside and outside the EU – have not been considered, since they occurred between states and were not decentralised at cross-border regional level. Second, by dealing with an outlier case of CBC, this case lacks a comparative dimension. Nevertheless, the analysis of this case has provided a stepping-stone for the debate on the potential of CBC in sensitive policy fields. Third, interview data might suffer from social desirability bias and failing of human memory, since the events under examination occurred some years ago. However, I have tried to reduce these issues by

limiting the details on the research at the minimum throughout the interviews and by cross-checking interview data with documents.

On the whole, by theorising a post-functionalist framework to explain the allocation of policies at cross-border regional level, I have contributed to the literature on the drivers of CBC by presenting a new theoretical approach to understand European CBC. I expect these findings to be useful to gain a better understanding of the determinants of cross-border regions and the context that triggers a CBC practice. Furthermore, based on this analysis and in line with Engl and Wisthaler (2018), I argue that that cross-border spaces, and especially those working under the legal framework of the EGTC, can assume a crucial function in the multi-level governance system of the EU. Cross-border regions can play a vital role as policy actors in sensitive policy sectors and mediate between different states, which might share diverging views on the policy issue in question. Considering that nowadays several policy issues possess a cross-border character (e.g. immigration, transportation, infrastructure), and given the growing interdependence at EU level, cross-border spaces can become relevant policy actors and conciliate different levels of governance within the EU.

To conclude, this work has to be considered as an exploratory study on the capability of cross-border regions to be policy actors in sensitive and contested policy fields. It is up to future studies to corroborate – for instance in a comparative perspective – the potential of cross-border regions in the multi-level governance structure of the EU by considering other sensitive issues. Finally, some new research to validate the efficacy of a post-functionalist framework to explain regional cross-border collaboration would be a welcome contribution.

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The Case for an Open Border: A Post-Functionalist Framework of Cross-Border Cooperation. An Analysis of the Cooperation on Immigration in the Euroregion Tyrol – South Tyrol – Trentino

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