



ACTION GROUP 5

To connect people electronically and promote accessibility to public services

GOVERNANCE REPORT

Synthesis of AG5 governance mechanisms related to connectivity and accessibility to public services

Schweizerische Arbeitsgemeinschaft für die Berggebiete and Regione Autonoma Valle d'Aosta



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Synthesis of AG5 governance mechanisms

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Executive Summary

Within the frame of the Alpine Space Project “AlpGov” – “Implementing Alpine Governance Mechanisms of the European Strategy for the Alpine Region”, the Action Group Leaders have conducted governance studies for their respective topics. The extract of the project activity of the AF defines the purpose of the studies:

“Coming from their individual thematic perspective, Action Groups will elaborate a synthesis of governance mechanisms on different levels in the Alpine region. By stock-taking of existing structures, describing best-practices and identifying bottle-necks this exercise will contribute to explore potential for innovation and a strategic approach when growing beyond the given institutional framework.”¹

The present study was carried out by Action Group 5 of the Macroregional strategy for the Alpine region – EUSALP. This report focuses, therefore, on the delivery of public services regarding the connectivity and the topic of accessibility in remote areas. AG5 is structured into two subgroups. Subgroup 1 is dealing with connectivity and digitalisation, Subgroup 2 with integrated approaches to the provision of services of general interest (SGI). The Autonomous Region of Valle d’Aosta is responsible for Subgroup 1, the Swiss Center for mountain regions SAB is responsible for Subgroup 2. Both Co-Leaders brought in their expertise in the respective fields into this report of the governance system. The work of Subgroup 2 relies largely on previous work carried out in the Alpine space program project Intesi.

The study covers the transnational level, all national levels as well as a sample of the regional level. For practical reasons, it was not possible to cover all 48 regions, but we feel that the sample is sufficient to understand the mechanism of governance at every level (national, regional and local).

As for the section related to SGI, the deliveries of seven services of general interest have been described. These public services are the following: regional development (1), basic goods (2), transport (3), telecommunication (4), health care (5), social care (6) and education (7). The conclusion of the analysis enumerates different tools that could be implemented for improving public service delivery in general. Those main themes could be summarized in four actions: the need of innovation, a better communication between stakeholders, a clear distribution of the roles and responsibilities and a more efficient integration system.

In the connectivity section, a study of the legal framework of each country participating to EUSALP, concerning digitalisation and eGovernment, is carried out. Following a comparative analysis of the digital situation in the Alpine countries, some best practices from the Alpine chain are highlighted.

In closing, a map of all actors already involved in AG5 activities will be outlined, followed by an analysis of how cooperation is operating within the AG, underlining strengths and weaknesses and suggesting recommendations for the improvement of the work of the action group.

¹ AlpGov AF, p. 35.
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1. Definition of the scope of the study

The overall objective of the second pillar of EUSALP – within which AG5 is situated together with AG4 - is to address the ‘most important challenges and opportunities’ concerning mobility and connectivity in the Alpine Region. The Alpine Region is a major European crossroads in which mobility and connectivity pose significant challenges. The location of the Alpine Region requires that this Region is crossed by traffic flows (freight and passenger) linking the south to the north of Europe, as well as the east to the west. The geomorphology of the area, including the mountainous part, reaching a width of more than 300 km in some parts, is a natural obstacle to crossing. In addition, the Alps represent a very vulnerable area and ecosystem. The impact of road transport infrastructure on air and noise pollution is a major challenge; several areas within the Alpine Region have difficulties in reaching EU legal limit values on emission of pollutants. Based on traffic census data, an increase of 30 % of heavy goods vehicles occurred between 1995 and 2005 in the most congested highways crossing the Alps. Therefore, there is an urgent need for greener transport through and within the Alpine Region.

At the same time, connections of local areas within the Alpine Region are crucial for their economic survival. The Alpine Region suffers from an unbalanced demographic trend, whereby cities and peri-Alpine areas grow constantly in population while remote areas suffer, in some cases significantly, from ageing and depopulation. The availability of good connectivity networks (including public transport and high-speed internet) is closely related to the survival of commercial activities in remote areas as well as to the supply of basic services such as education, health, postal and administrative services. Physical transport (of passengers and goods) is not the only relevant dimension in a society increasingly more dependent on virtual connections. Remote and mountainous areas are often lagging behind in terms of e-connection possibilities. At the same time, e-connectivity raises new opportunities for the provision of services (for example e-government, e-health, e-learning) as well as for the uptake of technologies. Addressing these issues in a coordinated way allows for maximisation of the potential benefits for the economy and the population alike.

1.1 To connect people electronically and promote accessibility to public services

According to the Action plan for EUSALP, the focus of this action will be twofold. On the one hand to draw up a comprehensive strategy for guiding and shaping the ongoing process of digitisation in the Alpine Region and on the other hand the accessibility to services which are provided by public authorities to people living within a certain area. This can be achieved by making the best use of new available technologies, such as satellite broadband connections in the most remote areas as well as developing take-up of e-services.

1.2 Regional characteristics concerning the proposed action

The EU aims at ensuring 100 % coverage by the next-generation broadband network (min. 30 Mbps download) by 2020. This agenda includes both the digital infrastructure and its use for the purpose of providing e-services. The latter requires in turn the take-up of new technological opportunities by business, citizens and public administration. The greater the use of e-services, the faster the innovation in this area, therefore the development of the infrastructure is both a condition and a consequence of the use of e-services. The Digital Agenda and the Digital Single Market of the EU are particularly relevant for the area covered by EUSALP, since the way of achieving the goals of 100 % coverage of high-speed broadband and 50% household take-up by 2020 are greatly affected by the particularities of the Region. One of the main characteristics of the Alpine Region, and in particular of the mountainous part of this Region, is the presence of sparsely populated communities, in a territory where land connections such as wires and glass fibres are a real challenge. Even where land connections are technically feasible, the costs are often too high to make investments profitable, and as a consequence no private investor shows interest. The result

is that a share of communities in remote areas cannot benefit from available technologies without public intervention. In the absence of a public intervention on connectivity, there is the risk of a detrimental effect on the e-services and innovative applications offered by public and private providers, which leads to the further depopulation of remote areas. The possibility of exercising a given profession in a remote mountainous area is greatly dependent on the speed of available connections. There is, moreover, a share of the population which, even if investments are subsidised, cannot be reached by land connections in the short run. In this case, the only available solution is offered by broadband satellite technologies.

Digital infrastructures are a necessary pre-requisite to develop modern E-Services. E-Services hold a big potential for a better delivery of SGI of all kind. SGI are the basis for all activities of persons and SME's. The concept of SGI foresees, that they are delivered in all territories in order to provide equal chances of living and working. Unfortunately, some services are in danger in sparsely populated areas due to the low demand (less population) and higher costs. New services tend to be developed first in urban areas, where there's a higher demand (number of users). This once more is to the detriment of users living in remote areas, where new services are rolled out later. Typical for this phenomenon is the roll out of new telecom-technologies like fibre optics. Special solutions have therefore to be found for SGI-Delivery in remote areas. An integrated, territorial approach such as developed in the Intesi-project can help to bridge these handicaps. But also, E-Services help to bridge distances and to deliver new forms of services.

1.3 The need for the proposed action and its spatial macro-regional relevance

When dealing with new connectivity technologies, such as modern glass-fibre and satellite, there is a need to achieve a critical mass, to exploit economies of scale and make infrastructures both economical and better performing. This is particularly true in relation to the 'last mile' of land connection networks, which is the most expensive in terms of the ratio between investment cost and profit. In the case of satellite connections, which are available without limitations of geomorphology, a critical mass of users is crucial in order to make the technology perform in the best possible way. For a satellite signal to perform well, users must be scattered around a sufficiently large area and not concentrated in one of a few spots. For this reason, sparsely populated large areas such as mountainous regions, an area of significant relevance for the total area of EUSALP, represent an ideal scale for implementing satellite solutions for the purpose of connecting remote households, business and administration which cannot be connected by land.

1.4 Links with other objectives

The sector of e-connectivity is very fertile ground for innovation, as some of the most dynamic and innovative clusters relate to ICT. E-connectivity is a proven factor for competitiveness, in particular for SMEs. At the same time, it promotes the diffusion of green economy solutions: digitally managed car-sharing and e-services replacing physical transport are relevant examples.

1.5 Support of the Europe 2020 Strategy

The envisaged actions are expected to contribute to attaining a good and sustainable connectivity network for the whole EUSALP Region. Therefore, this policy area strongly supports the Europe 2020 Strategy. EUSALP is fully in line with the flagship initiative 'A resource-efficient Europe – Flagship initiative under the Europe 2020 Strategy', within which the implementation of key proposals and initiatives, such as 'Future of transport', 'Low Carbon Economy', 'Trans-European Networks' play a key role; as well as with the flagship initiatives 'digital agenda for Europe' and 'an agenda for new skills and jobs'.

Smart growth: Building a connected region contributes to smart growth. The Alpine Regions have an enormous capacity, heritage and unused potential in terms of high-quality products (food, handicraft) and services (tourism, especially in certain areas), which an efficient network of physical and virtual connections can bring to the global market. This will lead to new jobs and therefore contribute to the Europe 2020 employment targets set for smart growth.

Sustainable growth: It is well known that several developments related to transport and planning in the Alpine Region have led to unsustainable patterns, the cost of which is still high in terms of pollution, congestion and lost landscape. A new approach, whereby transport is led by connectivity needs and environmental concerns on an equal footing, will allow for sustainable further growth. Lessons learned can be used in order to implement new solutions in areas which lag behind in terms of connectivity infrastructures. Green transport solutions are also beneficial in terms of creating jobs (e.g. management of collective car share or bike share systems at local level).

Inclusive growth: There is a clear problem of unbalanced growth in the Alpine Region, with significant differences between medium and large cities and peri-Alpine areas and remote villages, especially at high altitude. Ageing and lack of professional opportunities result in the dramatic demographic decrease of certain areas, to the detriment of local culture and environment. The digital agenda opens great possibilities for inverting these trends and opening new jobs and market opportunities. There are already several cases where 'new mountaineers' have settled in remote areas, where network connections allow for a quick interchange with the global market.

2. Governance mapping: processes, actors, interests, decisions-making process

2.1 Services of general interest

This chapter presents the different policies and legal framework of the different Alpine countries involved. Furthermore, the situation at regional level will be presented for Tyrol (AT), Carinthia (AT), Jura (CH), Auvergne Rhône-Alpes (FR), South Tyrol (IT), Lombardy (IT). This is a sample which shall serve to illustrate the regional level in most countries.

For every SGI of EUSALP regions, there are different decision-makers. Those actors are part mainly part of public sector and in some cases non-institutional stakeholders.

European and macroregional (alpine) level

The legal framework has a huge influence on the provision of SGI. The legal framework can either hinder or encourage the provision of SGI.

When speaking about the legal framework, one has to consider, that services are regulated at different hierarchical levels. Postal and telecom services are e.g. regulated at EU-level and then adapted on national level. SGI in the health and education sector are mostly regulated at subnational (regional) level. Some services like primary schools or waste treatment can even be regulated at municipal level. This leads to questions of governance, which is the scope of this study.

On European level, the discussion about SGI is rather recent. The EU published its green paper on SGI in 2003 (COM(2003)270). In 2004 followed a white paper on SGI (COM(2004)374). In 2007 was published a communication dedicated especially to social services (COM(2007)725).

With the entering into force of the Lisbon Treaty on 1st December 2009 for the first time the protocol no 26 introduces the notion of services of general interest in primary EU law whereas the previous EU Treaty only referred to services of economic interest.

THE HIGH CONTRACTING PARTIES,

WISHING to emphasise the importance of services of general interest,

HAVE AGREED UPON the following interpretative provisions, which shall be annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union:

Article 1

The shared values of the Union in respect of services of general economic interest within the meaning of Article 14 of the Treaty on the Functioning of the European Union include in particular:

- the essential role and the wide discretion of national, regional and local authorities in providing, commissioning and organising services of general interest as closely as possible to the needs of the users*
- the diversity between various services of general economic interest and the differences in the needs and preferences of users that may result from different geographical, social or cultural situations;*
- a high level of quality, safety and affordability, equal treatment and the promotion of universal access and of user rights*

Article 2

The provisions of the Treaties do not affect in any way the competence of Member States to provide, commission and organise non-economic services of general interest.

This protocol provides a coherent framework that will guide EU action and services as a reference for all levels of governance. By clarifying the principles and setting out the common values underpinning EU policies it gives visibility, transparency and clarity to the EU approach applicable to Services of General Interest.

Specifically highlighted should be the mentioning “ensuring equal treatment and the promotion of universal access” in article 1 of the protocol. This is further explained in the EC communication “A single market for 21st century Europe”:

“Access to SGI is recognised as a right in the EU Charter on Fundamental Rights (...) Where an EU sector specific rule is based on the concept of universal service, it should establish the right of everyone to access certain services considered as essential and impose obligations on service providers to offer defines services according to specific conditions, including territorial coverage and at an affordable price. Universal service provides for a minimum set of rights and obligations, which as a general rule can be further developed at national level. It is a dynamic concept, which needs to be updated regularly sector by sector. Promoting access throughout the territory of the Union is essential for the promotion of territorial cohesion in the EU, as mentioned above in the case of social services. Territories with a geographic or natural handicap such as (...) mountains (...), often face challenges in terms of access to services of general interest, due to the remoteness from major markets or the increased cost for connection. These specific needs must be taken into account.”

The EU Commission abandoned its idea of developing a single universal definition for the content of services of general interest. Still, EU legislation on SGI does include a number of elements that are common to the different sectors. The EU Commission pleads for consideration of these notions as the foundation for the definition of a Community concept for SGI (White Paper, 2004). These are:

Universal service

This concept was introduced to ensure that certain services are made available at a specified level of quality to all consumers and users throughout the territory of a Member State, independently of geographical location, and, in the light of specific national conditions, at an affordable price. These requirements are in the general interest. It has been developed in particular for some of the network industries to ensure that in a liberalised market, every individual has access to the service at an affordable price and that service quality is maintained and, where necessary, improved (Green Paper, 2003).

Universal service is a dynamic concept adjusting to citizens’ evolving environment and needs. It is also a flexible concept adhering to the principle of subsidiarity for the Member States (Green Paper, 2003).

Continuity

A number of services of general interest are characterised by a continuity requirement, i.e. the provider of the service is obliged to ensure that the service is provided without interruption. Worth pointing out is that the requirement of ensuring a continuous service is not consistently addressed in sector-specific Community legislation. Indeed, depending on the sectors, Member States are sometimes free to decide whether this obligation exists or not (Green Paper, 2003).

Service Quality

The definition, monitoring and enforcement of quality requirements by public authorities are key elements in the regulation of SGI. In the sectors that have been liberalised, it is generally up to the Member States to define quality levels although in some cases quality standards

are defined in Community legislation. These include, for instance, safety regulations, the correctness and transparency of billing, etc. The most developed regulation of quality at Community level can be found in the legislation on postal services and on electronic communications services (Green Paper, 2003).

Affordability

This concept was originally developed in the context of the regulation of telecommunications services and then extended to postal services. It requires SGEI to be offered at an affordable price in order to be accessible for everybody. This principle contributes to economic and social cohesion within the Member States (Green Paper, 2003).

User and Consumer Protection

These horizontal consumer protection rules apply to SGI as in other sectors of the economy. However, because of the particular economic and social importance of these services, specific measures have been adopted in sectoral Community legislation. Such specific measures are set out in a number of sectors including electronic communications, postal services, energy, transport and broadcasting. The EU Commission also stressed the need to address citizens' concerns that are of a wider nature (e.g. the environment), to consider the specific needs of certain categories of the population (e.g. handicapped people) and to ensure complete territorial coverage of essential services in remote areas.

Other Specific Obligations

Other sectoral obligations may complement the five above including safety and security, security of supply (sustainable long-term provision), network access and interconnectivity (meeting competition policy and internal market objectives) and media pluralism (to protect the freedom of expression) (Green Paper, 2003).

Financing

Many services of general interest cannot be viably provided on the basis of market mechanisms alone and specific arrangements are necessary in order to ensure the financial equilibrium of the provider. Currently, it is for the Member States to ensure the financing of services of general interest and to calculate the extra cost of the provision of such services. In some cases, the Community may contribute by way of co-financing to the funding of specific projects (Green Paper, 2003).

Depending on historical traditions and the specific characteristics of the services concerned, Member States apply different financing mechanisms including:

- Direct financial support through the State budget (subsidies, tax reductions, etc.);
- Special or exclusive rights (e.g. a legal monopoly);
- Contributions by market participants (e.g. through a universal service fund);
- Tariff averaging (e.g. a uniform country-wide tariff despite local differences);
- Solidarity-based financing (e.g. social security contributions) (Green Paper, 2003).

Whilst different forms of financing continue to co-exist, a clear trend has developed toward progressive withdrawal of exclusive rights and opening of markets to new entrants and other forms of financial support have developed such as the creation of specific funds financed by market participants or direct public funding through the budget (the latter being the least distorting form of funding). These forms of financing have made the cost of providing SGI and the underlying political choices more transparent (Green Paper, 2003).

The Member States are generally free to choose which system is most appropriate in their case provided that it does not unduly distort the functioning of the Single Market. State aid rules only prohibit overcompensation.

DG Competition of the EU Commission published the Community Framework for State Aid in the Form of Public Service Compensation in July 2005². This document sets out the framework for identifying “genuine” SGEI, which Member States have a wide margin of discretion to do; it also stipulates that the Member States have to develop an instrument specifying the public service obligations and the methods of calculating compensation. The Community Framework addresses the issue of the amount of compensation and the notion of overcompensation. It further mentions that the Framework applies without prejudice to the more restrictive provisions of sectoral Community legislation and measures (DGCOMP/I1/D(2005)179).

This Community Framework follows from an EU Commission Report (COM(2002)636 final) mentioning three rulings that will become EU case law, one of which is especially notorious: the so-called Altmark Trans GmbH ruling. At the time of this report (2002), the EU Commission namely regretted the absence of a definition of SGEI and the extent of Member State freedom in relation to the scope of Community State aid rules, etc. Since then, the EU Commission has undertaken major clarification work.

In 2011, the EU adopted the Quality Framework for Services of General Interest (SGI) in the EU. The Framework

- clarifies how EU rules apply to basic services, as well as the revisions that have been made to these rules, where necessary, to ensure specific needs are addressed
- ensures access to essential services for all citizens
- promotes quality in the field of social services and highlights achievements as models for other basic services

As a follow up, European public procurement rules were also modernised, and new legislation was introduced that clarified the application of state aid rules to the services of general economic interest. This package clarifies key concepts related to State aid for SGEIs, while the Decision and the Framework specify the conditions under which State aid in the form of public service compensation is compatible with the Treaty on the Functioning of the European Union. Member States are largely free to define which services are of general interest. But, the Commission must ensure that public funding granted for the provision of such services does not unduly distort competition in the Internal Market. The new rules, which replace the so-called "Monti-Kroes" Package of July 2005, clarify basic notions such as 'economic activity' to facilitate the application of the rules by national but also regional or local governments.

All social services become exempted from the obligation of notification to the Commission, regardless of the amount of the compensation received. The services concerned must meet "social needs as regards health and long term care, childcare, access to and reintegration in the labour market, social housing and the care and social inclusion of vulnerable groups". Previously only hospitals and social housing were exempted. Other SGEIs are exempted provided the compensation amount is less than €15 million a year.

The Commission also set a minimum compensation amount for all other services below which the measure is deemed free of aid. The SGEI *de minimis* amount was set at €500,000 over three years. This will reduce red tape for small SGEIs. On the other hand, in future there will be a greater scrutiny of other SGEIs involving compensation amounts of more than €15 million a year and where the potential for distortions of competition within the single market is higher. Whenever possible, the SGEI should be entrusted through an open and transparent public tender to ensure the best quality at the cheapest cost for taxpayers who pay for the services.

² Visit http://ec.europa.eu/employment_social/social_protection/questionnaire_en.htm.
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The Decision and Framework were applicable from 31 January 2012 and composed of the following elements:

- Communication from the Commission on the application of the European Union State aid rules to compensation granted for the provision of services of general economic interest. Official Journal C8, 11.01.2012, p. 4-14
- Commission Decision of 20 December on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of **public service compensation** granted to certain undertakings entrusted with the operation of services of general economic interest. Official Journal L7, 11.01.2012, p. 3-10
- Communication from the Commission, **European Union framework for State aid in the form of public service compensation** (2011). Official Journal C8, 11.01.2012, p. 15-22
- Commission Regulation on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to **de minimis aid** granted to undertakings providing services of general economic interest. Official Journal L 114 of 26.4.2012, p. 8

In the EU, **telecom services** are fully liberalized. The universal services obligation concerns mainly the access to fixed phone installations. Austria has added a “functional internet-access” to the universal services without specifying what is meant with this. Switzerland has added broadband access to the universal services and specifies in an ordinance that this means min. 300 MBit/s download capacity. Swisscom as the owner of the universal services concession must provide these services all over the country and to each household. The technology is not prescribed. This aspect is very important. Fibre optics provide a high bandwidth over long distances. But to equip every house with this (Fibre to the home - FTTH) is very costly. So other technologies like LTE (Long term evolution) or satellite communications might be more appropriate, especially in remote rural areas. All countries have foreseen the installation of a compensation fund in case the universal service provision would be in deficit. This fund would be fed by all service providers. Until now, not any country has put this into practise. The compensation fund will anyhow not be appropriate to finance the roll out of larger bandwidths.

The **regulation authorities** are independent from governments and from service providers. In some cases, they can make ex ante regulations. The role of regulation authorities in network infrastructures is very important. The owners of infrastructures need clear framework conditions. An unclear or erratic regulation will lead to uncertainties in investments and thus reduce considerably the willingness to invest in infrastructures. Regulation can thus hamper the rollout of infrastructures and the provision of services. This happened e.g. with the rollout of fibre optics in the USA. The regulation had to be changed after it was realized that it was too inhibitive for investments. In most cases, this affects rural areas, as urban areas are more attractive for the market.

The EU has completely opened the **postal market** as of January 1st 2011. Some countries, mainly in Eastern Europe, have been provided with a longer deadline until January 1st 2013 at latest. Some countries like Germany (in 2008) and the UK had completely opened their postal market some years before 2011. Others like Austria, France and Italy have opened their market in accordance with the EU-obligation. Those countries had to adapt their laws in 2010 or elaborate completely new laws. The Swiss Parliament has voted in winter 2010 against a complete opening of the market. The national provider Swiss Post maintains a monopole of letters until 50 grams.

The Universal service covers letters until 2 kg and parcels until 20 kg in accordance to the EU-directive. Only Switzerland has added payment services to the universal services obligation. A dedicated Service provider can be obliged by law to deliver the universal service as is the case e.g. in France and Switzerland. In other countries like Germany and Austria the service can be put for tender if the providers do not assume the universal service. If the universal service is in deficit, the EU-directive foresees two options: Either subsidies by governments or a compensation fund. Most countries have foreseen a compensation fund, EUSALP Action Group 5

where all service providers would have to pay. But this scheme has not yet been put into practice.

The prescriptions for postal offices are very different from country to country. Most countries allow the flexibility to combine postal services with other services like grocery shops or tourism offices. The service is then not run by personnel of the post but by specially trained private persons (e.g. shop owners).

The closure of postal offices is of deep concern for municipal authorities, as it affects the attractiveness and functionality of villages. Postal offices are often perceived as a symbol of SGI and are a point for social contact. But only in Austria and Switzerland the national laws foresee a special role for the municipalities in the restructuring process.

The EU and its member states have, since the Seventies of last century, a special legal framework for **public transport** outside the more recent SGI laws. The rail sector is fully regulated by the EU as regards both the market (the Single European Railway Area established by the Directive 2012/34/EU) and the passenger rights (Regulation n. 1371/2007) as well as interoperable technical standards of the infrastructure and the vehicles. Financial and management separation between infrastructure and service provision is compulsory for the mail lines as well as the regional ones connected to them.

Besides, for all modes the EU law (Regulation n. 1370/2007 updated by the Regulation n. 2338/2016) sets the way the public competent authorities (the national and local Governments and the Municipalities) can decide to grant the transport operators (bus and rail companies, etc) exclusive rights in return for the discharge of public service obligations (for example the number of runs per day on each route). Each competent authority must decide the mode and the minimum quantity of service required by approving transport plans or equivalent documents: the public service obligations must therefore be strictly linked with the planning decisions. Regulation n. 1370/2007 also sets the rules to calculate the financial compensation due to the transport operators for the costs not covered by the incomes collected from the travellers. It consequently excludes such financial compensations from the state-aid regulations. Finally, for the EU regulation public service contracts must be used by the competent authorities to set the duties of both parties (the authorities and the operators) in providing the services. In-house provision or competitive tendering are the legal ways to award to the operators the exclusive rights on a single line or a whole network.

Outside the EU, in Switzerland, the federal law on railways indicates, that every municipality with at least 100 inhabitants must be served by public transport (bus, cableway or railway). This is one of the reasons, which has led to the very dense network of public transports in Switzerland.

The provision **health services** is a normally a task of the regional and local level. In Germany e.g. Public services are provided by contract-doctors "Vertragsärzte". They need a contract with an association of insurers to exercise. These associations are at Länder-level. Hospitals are planned and financed at subnational (regional) level. In most countries, the provision with doctors in rural areas is steeply declining. SGI in the health sector may actually still be OK, but are in danger. This even more problematic with respect to demographic change and the aging of population which leads to more demand on the health sector.

The provision of services for **daily needs** like grocery shops, bakeries etc. is very seldom regulated. These services are left to the market to develop. The closure of shops in rural areas often leads to reactions by the inhabitants and by local authorities. Solutions are then sought for to reopen a shop. It is often forgotten, that consumers steer the rentability of shops by their own behaviour. If consumers buy their goods in a supermarket in the next bigger town, they contribute automatically to the decline of smaller shops in the villages. So solutions must also be sought in changing attitudes and behaviour.

At **macroregional level**, the **Alpine Convention** is not at all dealing with aspects of SGI. The **Alpine space program** has supported several projects dealing with SGI like Pusemor, EUSALP Action Group 5

ACCESS and Intesi. The new Macroregional strategy for the Alpine Region **EUSALP** puts a strong point on SGI, especially on the fields of E-accessibility and transport (action groups 4 and 5). EUSALP therewith gives a strategic dimension to this topic which was missing up to now in the alpine area.

The **regional organisations** like Arge Alp, Cotrao, Alpe Adria and so on have all identified the topic of SGI as highly relevant and adopted declarations and / or concrete actions in that field. These groupings have no legislative power.

Austria

General presentation

“The organizational variety of the Austrian administration is derived from two principles:

- from the constitutional basic principle of the Federation
- and from the principle of local self-administration of Austrian municipalities

These two principles result to an administrative structure consisting of three levels of subdivisions each with corresponding administrative organizations:

- at central government level the Federal Government
- at regional level, the federal state administrations of the nine States of Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg and Vienna
- at local self-administration the municipal administrations of 2.100 Austrian municipalities.

All over Austria there is also a network of 95 administrative districts, which are not independent territorial authorities but are rather organizationally integrated in the federal state administration (as district authorities) or within the greater city.

As such, Austria can be said to have a four-tiered administrative structure throughout:

- Federal Government
- Federal States
- Districts
- Municipalities

The Federal Government is the largest administrative organisation in Austria. It is under the leadership of the Federal Ministers, who preside as monocratic organs of a particular department. As a whole, the Federal Ministers make up the Federal Government. The Federal Chancellor is the chairman of the Federal Government and as such, exercises the central function. A Federal Minister's department consists of a Federal Ministry (also called Central Offices) and the subordinate agencies. In this way, finance offices are subordinate agencies just as police inspectorates or even individual schools are. In the last decades, various legally independent establishments were founded outside of the Federal administration. This occurred through so called “disincorporation”, in which a governmental establishment was converted into a legally independent institution or a company under company law on the basis of a special law.

In contrast to the Federal Administration, the administrative apparatus of the nine Federal States are not organised according to the branch system. The State Government as a leadership organ of the state administration basically acts as a committee, although many aspects are still delegated to individual members for decision. There are no separate State EUSALP Action Group 5

Ministers with or without portfolios as administrative assistance, but rather a common State Government Office. Internal affairs of the Office are led by the State Governor as chairman of the State Government (at political level) and the Head of the State Government Office (at administrative level). Most of the 95 District Administrations are also part of the State Administration. Outside the 15 larger cities, which act as administrative districts, there are 80 District Authorities established as administrative districts throughout Austria, and which play a leading role especially in national administration. District authorities are led by one of the persons nominated as District Governor by the State Government. Furthermore, State Administrations also have subordinate agencies and numerous disincorporations from State administration have taken place. State hospitals especially have been going through a process of legal independence.

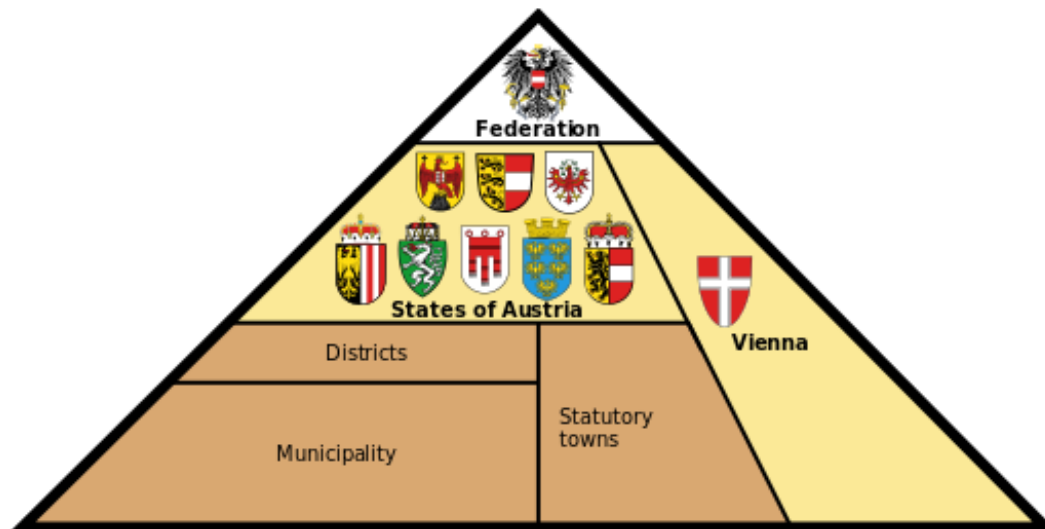


Figure 1: Administrative system of Austria (Perhelion: Wikimedia Commons, 2011)
Source: https://commons.wikimedia.org/wiki/File:Verwaltungsgliederung_%C3%96sterreichs.svg

About 80 % of all municipalities (2.100) in Austria have less than 3.000 inhabitants. Since the size and capacity of a municipality is not considered in task setting, a distinct structure of cooperation has developed amongst Austria's municipalities. As such, many municipal associations are founded especially when concerning high investment and employment opportunities, in order to enable more efficient management. The Municipal Offices are under the leadership of the Mayor. An office leader generally referred to as Municipal Secretary or City Office Director takes care of the administrative leadership (Chief Magistrate in cities with their own statute). Many municipal responsibilities fall under the provision of subsistence and concern the creation of educational, social, environmental and cultural infrastructure." (Bundeskanzleramt Österreich, 2011)

Overall strategies

In principle, Austria can be described as a social welfare state that is characterized by a high degree of public intervention and social protection mechanisms according to the principle "safety is more important than dynamics". Therefore, the Austrian welfare system shows a high degree of market independence in the supply of citizens due to a large contribution of government services. However, the Austrian social system is relatively impervious in relation to the given social stratification; social services are closely aligned with achievements out of gainful employment and thus depend on educational preconditions.

Similar to pan-European history, the expansion of technical infrastructures and social services followed a chronological path from the cities to the countryside. The large cities play a pioneering role, particularly in building social infrastructure - housing construction, hospitals

etc. Compared to other European countries, the Austrian Federal States nowadays show good average numbers regarding the regional implementation of SGI.

The organisation of SGI distinguishes between the elements of production, financing, responsibilities and delivery. Responsibility is to be seen as a kind of public warranty. Whereas financing and production can be offered by the government, the market and/or the society, the crucial question of the spatial dimension arises, when it comes to the delivery of services. The economic situation of a region also constitutes an important framework for the development of the SGI.

Due to the lower population density and the topographical conditions in the alpine regions, the (mostly) market-bound SGEI services are poorly developed in such areas. This is particularly true for the largely liberalised field of technical communications and for the transport system.

The SSGI social services are being predominantly organised in national autonomy and their structure show a mostly spatial distinctiveness. The federal states and the local communities (in the organisational form as municipal associations too) play an important role in the delivery of social services. The federal states are constitutionally coequal to the federal government and have certain legislative and autonomous competences. Accordingly, Austria is the organisational type of a multi-level welfare state, in which responsibilities are shared among several governmental levels and where the local level is of great importance for the delivery of SGI.

In Austria, the organisation of a specific SGI is a sectoral task concerning legislation, finance and delivery, whereas it is also a matter of spatial planning as regards the territorial configuration of places and locations to be reached.

Austria (along with Belgium) is an exceptional case, because spatial planning as a cross-sectoral policy is here assigned to the nine federal states under constitutional law. The Austrian Conference on Spatial Planning ÖROK is a permanent political platform, where space-related matters between the local authorities can be coordinated. Due to the autonomous competences of the municipalities, the local spatial planning and thus the spatial coordination of the settlement development including the respective SGI locations show a distinctive small-scale structure.

SGI are organised not only vertically (EU-federal government-federal states- communities) but also among sectors, and also among different carriers within complex areas of expertise. The multifaceted structure of the Austrian political system and the range of different SGI are the reasons why different sectoral fields of policy are in charge of their organisation. Location issues and spatial patterns of provision are different in dependence on the respective SGI, which is also associated with the question, whether the respective SGI is located centrally and under which conditions it is accessible. The concerned sector-political participants aim at a coherent, spatially distinct organisation of the services. Therefore, the various SGI in Austria have basically the same starting position.

Since the turn of the millennium, the demographic development in Austria has been showing a divided development throughout the country. While the big cities and settlements in the easily accessible environs and the areas along highly frequented roads are heavily increasing in population - especially by immigration - the wide-ranging, predominantly mountainous and peripherally located areas are sustainably losing inhabitants. The same spatial context applies not only for quantitative, but also for structural changes of the resident population showing increasingly different age distribution or education levels. Concerning unemployment (and this is true especially for women), there are higher rates (with the exception of the city of Vienna) in regions with declining population.

Policies and legal frameworks

SGI	Type of document	Name
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General	Legislation	<u>Tyrolean Spatial Planning Law</u>
General	Strategy	<u>Future Space Tyrol</u>
General	Legislation	<u>Tyrolean Municipality Organization Law</u>
General	Legislation	<u>Tyrolean Law on Services</u>

Mapping of actors

Category of actors	Institutional level	Authority
Institutional actors	National level	Federal Government
	Regional level	Federal States
	Sub regional level	Districts
	Local level	Municipalities

Regional development

For the development and implementation of regional strategies / concepts and promotion programs, the establishment of regional management has proven to be successful. The Tyrolean regional management associations (currently adding up to 8 in predominantly peripheral regions) are voluntary associations at the regional level, pursue a target-oriented cooperation of the respective regions with the provincial government, the federal government and the EU, and promote the strategic orientation of regional development. Members of the regional management are usually all municipalities, tourism associations, district chambers and interested leading companies from the respective region. The Tyrolean Provincial Government is coordinating the regional management groups. The staffs in the offices handle all sorts of topics involving a wide range of participants and target groups. The funds for these activities are raised by own resources of the association (membership fees) as well as by European and national subsidies.

In Carinthia, the strategic country development (STRALE!K) addresses all relevant topics of the SGI and has defined individual solution approaches for the maintenance of the services. The strategy is based on several years of development process, where the individual weaknesses of the strategy were discussed as well. As already described under 2.1, this has already resulted in changes in the provincial administration. The Office of the Carinthian Government implemented a separate office to enhance the strategic country development (STRALE!K), which is to work on the realisation of these strategies in the future

STRALE!K serve in the sense of guidelines and objectives inputs for all relevant SGI topics. Detailed department strategies were elaborated based on STRALE!K. One example to be named in the area of public traffic is the regional traffic plan, which was developed out of STRALE!K.

Policies and legal frameworks

SGI	Type of document	Name
Regional development	Strategy	<u>Local Action Group Regional Development Osttirol</u>

Regional development	Strategy	<u>Local Strategy - Rural Development Außerfern</u>
Regional development	Programme	<u>Regional Economy Development Program for Nature Park Region Lech - Außerfern</u>
Regional development	Legislation	<u>Carinthian Spatial Planning Law</u>
Regional development	Legislation	<u>Carinthian Municipality planning Law</u>
Regional development	Strategy	<u>Strategic development Carinthia</u>
Regional development	Strategy	<u>Local development strategy for Nockregion</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	Austrian Spatial Development Concept
	Regional level	Federal States	Strategic development
	Sub regional level	Districts	/
	Local level	Municipalities	local development
Non-institutional actors	/		

Basic goods

There are no competencies for a public intervention in Basic goods at either political level. But there are some concepts at regional and local level where public authorities strive to coordinate the services. The main actors in this field are therefore the service providers.

Policies and legal frameworks

SGI	Type of document	Name
Basic goods	Legislation	<u>Tyrolean shopping center program</u>
Basic goods	Legislation	<u>Carinthian shopping center program</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	
	Regional level	Federal States	
	Sub regional level	Districts	
	Local level	Municipalities	
Non-institutional actors	Service providers		

Transport

In Carinthia, STRALE!K serve in the sense of guidelines and objectives inputs for all relevant SGI topics. Detailed department strategies were elaborated based on STRALE!K. One example to be named in the area of public traffic is the regional traffic plan, which was developed out of STRALE!K.

The regional traffic plan is a main instrument for the definitions of objectives in public transport and in particular forms the framework for:

- the determination of the mobility needs of plan-directing population groups (main target groups),
- the functional description of the traffic services to be attuned to these needs,
- the organisational structuring of the roles and tasks of the concurrent public and private actors,
- the assignment of public means for public transport services to territorial units (cities, municipal areas, regions) and
- the authorizations according to the passenger transport law.

The regional traffic plan is based on a comprehensive assessment of the actual state, a strength-weakness-analysis as well as an assessment of possible scenarios based on the future development of the population.

The most important strategies are the new strategies that have been elaborated in Carinthia. This is the masterplan for transport (MOMAK) and the masterplan for energy (EMAP) and the STRALE!K.

Policies and legal frameworks

SGI	Type of document	Name
Transport	Strategy	<u>Strategy for Fernpass</u>
Transport	Legislation	<u>Tyrolean Road Law</u>
Transport	Strategy	<u>Regional traffic plan</u>
Transport	Strategy	<u>Mobility master plan Carinthia 2035</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	
	Regional level	Federal States	
	Sub regional level	Districts	
	Local level	Municipalities	

Non-institutional actors	Service providers		
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Telecommunication

For the regional level, we present here the Broadband Master Plan for the Tyrol. The Tyrolean State Government is the lead partner of the project and has the task of establishing the appropriate conditions.

Tyrolean municipalities have the task to translate the strategic aims into action: more than 140 of the 279 Tyrolean municipalities are building their own passive broadband infrastructure; for the rest there is no need in present, because those regions have already an appropriate infrastructure and at least one provider.

The TIWAG (regional energy supply company owned by the Province of Tyrol) provides about 1,500 km of empty conduit infrastructure; the Tyrolean municipalities are allowed to use those existing conduits to build infrastructure in a cost-effective and relatively quick way; the electric power station of Reutte EEA is e.g. an energy provider in Außerfern and supports the local expansion of broadband networks in a similar way providing broadband infrastructure. Neighbouring communities cooperate concerning the broadband expansion in order to conduct the joint planning and installation of the regional feeder cable. The Austrian Federal Government provides additional funds in a special grant program "Empty Conduit Promotion".

Policies and legal frameworks

SGI	Type of document	Name
Telecommunication	Strategy	Broad Band Plan for Austria
Telecommunication	Strategy	<u>Broadband Masterplan for the Tyrol</u>
Telecommunication	Strategy	<u>Broadband masterplan for Carinthia</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	Legal framework Overall, national strategy Financing
	Regional level	Federal States	Regional strategy
	Sub regional level	Districts	
	Local level	Municipalities	Building of passive infrastructure
Non-institutional actors	Service providers, electricity companies (building of infrastructure), ...		

Health Care

The aims of the national health policy are among others to provide the population as quickly as possible with optimum medical care. The optimal medical care of critically ill persons can only be provided in medical centres, where high specialisation according to the state of research is applied and very good personnel and technical facilities are available. However, the demand for a most quick medical treatment requires decentralisation corresponding with the respective settlement distribution and transport conditions. This spatial conflict of objectives leads to the establishment of a distributed system of different medical services. However, the rapid development of the medical sector and budgetary constraints also require the consideration of economic criteria in the location planning and the equipment of health care facilities. The responsibility of coordinating the health care system lies in the hands of the Federal Ministry of Health, whereas the mostly public carriers of hospitals are companies owned by the federal states, communities and social insurance institutions. Private non-commercial operators are also obliged to observe the standards of the legislator. 22 compulsory insurance institutions and the contributions of patients raise the money for the operation of the hospitals altogether. The Austrian Health Care Structure Plan 2012 is currently the decision-making tool for finding new locations for public hospitals. First, this process deals with the coordination of all sector-relevant institutions, in combination with organisational, financial and spatial aspects of health care in Austria. The spatial planning of the federal states does not play a crucial role in the process of location planning concerning health care facilities.

Policies and legal frameworks

SGI	Type of document	Name
Health	Legislation	<u>Tyrolean hospital plan</u>
Health	Plan	<u>Regional structural plan health of the Tyrol – ambulant module</u>
Health	Plan	<u>Regional Health Care Structure Plan Carinthia 2020</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	
	Regional level	Federal States	
	Sub regional level	Districts	
	Local level	Municipalities	
Non-institutional actors	Service providers		

Social Care

Compared to metropolitan areas, the supply in rural, peripheral areas is deficient:

- Lack of night shift stand-by personnel or night services provided by mobile care and nursing organisations
- Lack of advice/training/support for caregiving relatives
- Lack of short-term care and day care causes the overloading of caregiving relatives or institutionalisation/re-hospitalization
- Lack of a concept of integrative care (networking the documentation among hospitals, nursing homes, family doctors, etc.)
- Lack of awareness of the older people about the possibilities of support

However, supply and demand are to some extent areas regulating each other. Since especially the peripheral regions of the test area provide hardly any or no offer regarding certain basic services, there is also a lack of awareness among the people that such SGI are necessary and therefore they are not claimed. To a certain extent, general practitioners for instance assume the functions of specialists, or professional care and social support are only then requested, when the affected persons are exhausted and they start feeling helpless and stressed.

Policies and legal frameworks

SGI	Type of document	Name
Social care	Programme	<u>Structure plan Care for the State of Tyrol</u>
Social care	Guideline	<u>Social Concept Außerfern</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	
	Regional level	Federal States	
	Sub regional level	Districts	
	Local level	Municipalities	
Non-institutional actors	Service providers		

Education

Policies and legal frameworks

SGI	Type of document	Name
Education	Legislation	<u>Tyrolean School Organization Law</u>
Education	Legislation	<u>Tyrolean Childhood Education and Care Law</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	
	Regional level	Federal States	
	Sub regional level	Districts	
	Local level	Municipalities	
Non-institutional actors	Service providers		

Switzerland

General presentation

Switzerland is a federal state: state power is shared between the federal government, the cantons and the communes (see also fig 2). The principle of subsidiarity applies: a higher authority should only perform tasks that cannot be performed by a lower authority.

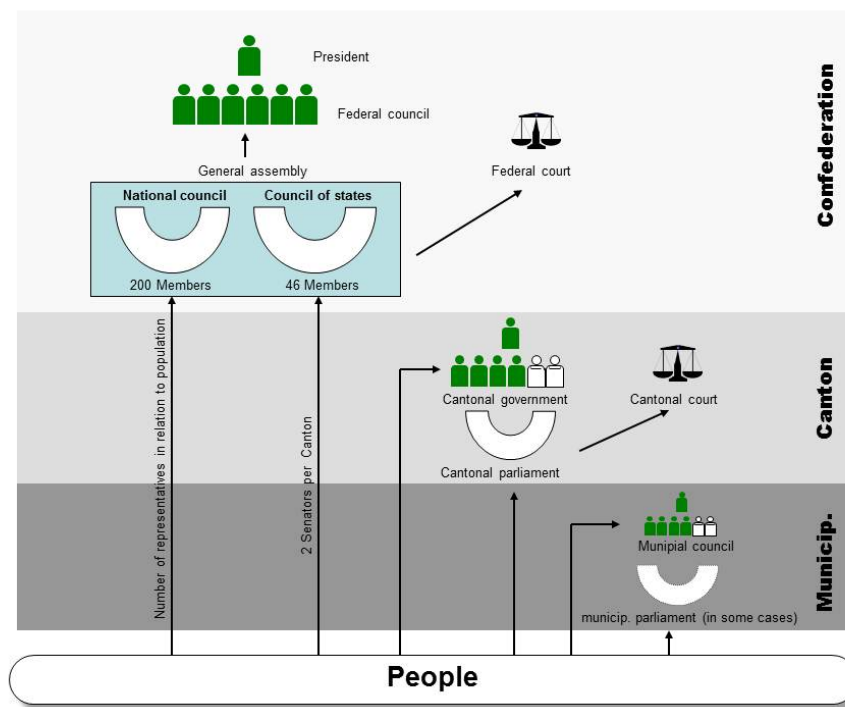


Figure 2: Swiss administrative system with different levels and actors (Egger T. 2016, Lobbying of SAB in Switzerland, PowerPoint presentation, SAB Bern adapted)

The following figure shows how legislative/policy documents are adopted on different political levels and how they become law. The law decision process can be influenced on different levels by entitled actors (red arrows). For the particular INTESI sectors, it can be said that the framework is drawn by the federal legislation and it is then implemented by the cantons and municipalities.

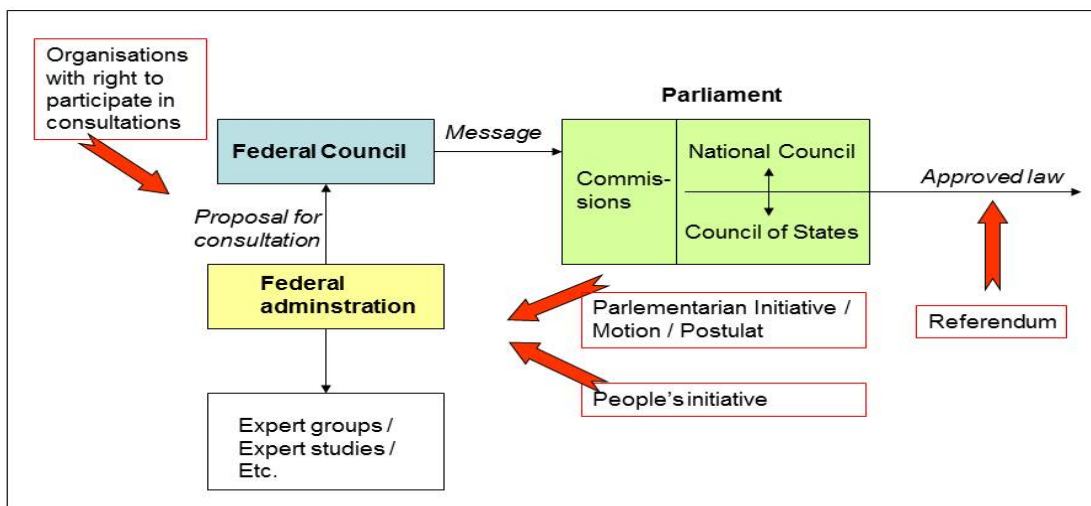


Figure 3: Legislative process on different levels and opportunities to take influence (Egger T. 2016, Lobbying of SAB in Switzerland, PowerPoint presentation, SAB Bern adapted)

On the federal level, a basic document with the formal aspect of a strategy covering all sectors in national competence is the report of the federal council on services of public interest of 2004. It is as such not legally binding but gives a series of principles about the provision of services of general interest. Topics covered are mainly postal services, telecom services, transport and electricity. It does not cover other services which are in the competence of lower institutional levels (cantons and municipalities) and does only cover network industries.

The federal level is competent for postal services, telecom-services, transport services and the regulation of the electricity-market. The education system is a shared competence between all hierarchical levels. The social care and health system are regulated at cantonal level. Basic goods are not regulated at all.

Policies and legal frameworks

SGI	Type of document	Name
General	Guideline / Strategy	Report of the federal council on services of general interest

Mapping of actors

Category of actors	Institutional level	Authority	Main Powers
Institutional actors	National level	Federal Government	Relations with foreign countries National and Civil defence Social security Transportation and communication Economy, including regulation on agriculture Environment Residence and domicile of foreigners Civil and criminal law Procedural law
	Regional level	Cantons	Implementation of federal law Education

			Energy Culture Health Public security (police) Spatial planning and regional development Infrastructures (roads, water, construction, planning) Assistance to persons in need
	Local level	Municipalities	Implementation of federal and cantonal law Proper powers (according to cantonal law): Construction, streets, local security (police, fire), public utility.

Regional development

The Swiss regional policy does explicitly not encourage projects which deal with SGI. Spatial planning includes the linkages between mobility and settlement. The spatial planning concept (federal level) gives directions in that sense. Each canton as well has a spatial development concept which gives the general vision and is not legally binding. The concept is transformed into the cantonal structural plans, which are legally binding for the canton and the municipalities. Mobility is an obligatory theme in these structural plans. SGI is not. Also, there is no indication on integrated strategies for SGI in the federal recommendations for the elaboration of the structural plans.

The new Law on spatial development is very challenging, especially for the small municipalities. They feel themselves too limited in their development. Furthermore, there is also the obligation to elaborate a regional spatial development plan which takes the municipality much in charge and they have to negotiate with their neighbours. This could be a great tool for coordinating services however it is also a potential source of conflicts. In general, it can be said that the field of spatial development in Switzerland is most advanced in terms of integration of strategies.

Policies and legal frameworks

SGI	Type of document	Name
Regional development	Concept	<u>spatial development concept</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	coherence of the territorial development, a rational use of the spatial territory, promotion, education & coaching, coordination
	Regional level	Cantons	spatial strategies, regulation of the use of the space, cantonal promotion, education, collaboration between regions and actors
	Local level	Municipalities	spatial strategies, use of the space "plan d'affectation", funding, regional management
Non-institutional actors			

Competences

The Cantons are responsible of spatial development, municipalities are responsible to implement the general principles laid down in the federal and cantonal laws and plans.

Basic goods

Postal services: Die Post is entirely state owned. Die Post has the obligation for postal offices all over the country. Postal offices and agencies must be accessible for 90% of the population within 20 minutes by foot or public transport. The access to financial services must be possible for 90% of the population within 30 minutes by foot or public transport. The federal council has a mean of obligation the attribution or non-attribution of the concession for universal service. The post has a residual monopole, meaning that they alone are allowed to transport letters up to 50 grams. This monopole helps to finance the SGI-mandate.

Banks: the provision of bank-services in the sense of SGI are not regulated at all.

Food stores: Coop and Migros are the two big players in this field in Switzerland. However, when it comes to the small villages one will find – if ever – tiny supermarkets with regional brands such as “mini market” or “vis à vis”. Bakeries and butcheries are mainly concentrated in regional centres.

The Swiss Post has realised some innovations and partnerships that are interesting in service delivery. In selected railway stations parcels can be sent and received via the help of automats (myPost24) and the integration of a small post office in a grocery store is meanwhile nothing brand-new but very successful since the opening hours are more attractive for the customers and the post office attributes to the grocery a higher frequency of customers.

The strategies of the Swiss Post could also be considered as integration models. In this framework the Swiss Post discusses with the municipalities, NGOs, private retailers (eg. VOLG) and the Swiss Railway solutions in service delivery.

Policies and legal frameworks

Basic goods are not regulated at any level and are purely a matter of private investments.

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	Managing “Die Post”
	Regional level	Cantons	/
	Local level	Municipalities	/
Non-institutional actors	Company	DHL	For postal services out of the SGI-Regulation: deliver packages up to 20kg and letters above 50 grams.
	Company	VOLG	Integration of delivery service
	Company	Swiss railway	Integration of delivery service

Competences

The General Secretariat of the Federal Department of the Environment, Transport, Energy and Communications (DETEC), in collaboration with the Federal Administration of Finance

(AFF), assumes the role of owner in respect of Swiss Post and monitors the implementation of the strategic objectives assigned by the Federal Council. (www.admin.ch)

Transport

Major players are the SBB (federal railway, 100% owned by the federal government), the Postal car (100% owned by the Post which in turn is owned 100% by the federal government) and by regional railway and bus companies. The regional railway companies are mainly dominated by the cantons. For freight transport, the cantons should elaborate a strategy based on the new law on freight transport which entered into force in 2016.

At a regional level, according to the Delegate for public transport and mobility in canton du Jura the offer in public transport is sufficient but there is still space for improvement. There is a heavy demand, the utilisation of public transport has increased by 60% in the last ten years. The share of public transport in mobility has grown from 13% in 2000 to 21,4% in 2010 (Switzerland, 18% in 2000 and 23,4% in 2010). This trend is very important for the delivery of SGI in transport, it is legitimating arguments for better service coverage in public transport. It is the objective of the transport and mobility unit of SDT to improve the offer further on and achieve a share of 25% until 2025. Concrete measures planned are higher frequencies of busses and trains and extended bus services till late in the night. The test area is only served by postal car busses. The interviewed mayors of the test area are in general satisfied with the offer in public transport

Policies and legal frameworks

SGI	Type of document	Name
Transport	Legislation	<u>Law on the transport of passengers</u>
Transport	Legislation	<u>Ordinance on the transport of passengers</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	Regulation of SGI. Co-Financing of regional public transport.
	Regional level	Cantons	Co-Financing of regional public transport.
	Local level	Municipalities	Ordering and paying for urban mobility services.
Non-institutional actors	Company	Chemin de fer du Jura (as an example)	Cantonal railway
	Company	SBB	Swiss Federal railway
	Company	Postauto	Postal car

Competences

The federal level is the competent authority for the regulation of **transport services**. The tendering and paying for public transport services are a shared competence of the federal and cantonal authorities. The minimum SGI-standard as fixed in the federal law prescribes, that every locality with at least 100 inhabitants must be deserved by public transport.

Telecommunication

Swisscom as the holder of the universal services concession has the obligation, to deserve every household and every enterprise all over the territory with phone connections and minimum internet services of at least 3 Mbit/s download-capacity. Above 3 Mbit/s everything is regulated by the market, where there's mainly a big concurrence between Swisscom and cable providers. There's no national strategy and no public financing at national level for broadband services. Some Cantons and some municipalities have made arrangements with service providers to co-finance an earlier rollout of broadband networks in their territories.

Policies and legal frameworks

SGI	Type of document	Name
Telecommunication	Legislation	<u>Telecommunications Act</u>
Telecommunication	Legislation	<u>Ordinance on telecommunication services</u>
Telecommunication	Legislation	<u>Atlas on broadband</u>
Telecommunication	Legislation	<u>Law on postal services</u>
Telecommunication	Legislation	<u>Ordinance on postal services</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	Regulation at national level, especially minimum SGI prescription.
	Regional level	Cantons	Some cantons have developed strategies and are cofinancing infrastructures
	Local level	Municipalities	Some municipalities are cofinancing infrastructures
Non-institutional actors	Company	Swisscom	Majority owned by the federal government (min 50%)
	Company	SALT	
	Company	Sunrise	
	Company	UPC Cablecom and many other	

Competences

The Federal level is the competent authority to regulate the telecommunication policy.

Health Care

In 2014, a new article in the federal constitution was adopted, which deals with SGI in medical services. It reaffirms, that the Confederation and the cantons search together for a sufficient provision of medical services. General practitioners are given a special role in the provision of these services. The Confederation can therefore strive for a proper refund of their services. The refund goes through the Tarmed-Tarification system. This pricing is negotiated between the doctors, the insurance companies and others. The federal council has only a subsidiary possibility to intervene if these partners do not reach consensus. The federal council used this possibility in 2014 to increase the taxation in favor of general

doctors and to the detriment of specialized doctors. Furthermore, the cantons have limited the number of available places in universities for the education of doctors to 1'000 per year. It is largely known, that this numerus clausus is too restrictive and Switzerland is missing a huge quantity of doctors which are actually "imported" from Germany and other countries.

The cantons regulate the number of hospitals on their territory and all have a plan for hospitals (the cantons have to pay for them), but to our knowledge, no canton has a strategy on health services as a whole including general doctors. Especially mountain areas are in deep need for general doctors and the service provision is rapidly declining.

Policies and legal frameworks

SGI	Type of document	Name
Health	Strategy	<u>Masterplan general doctors</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	Pricing policy
	Regional level	Cantons	Regulation of the number of hospitals, education
	Local level	Municipalities	
Non-institutional actors	Company	insurance	

Competences

Health services and services for elderly care are provided by the cantons. The services are coordinated by the cantonal health services.

Social Care

Social services are a matter of the canton and the municipalities. The thematic conference of the cantons formulates recommendations to all cantons. The cantons have all adopted a legislation on social services.

Policies and legal frameworks

SGI	Type of document	Name

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	/

	Regional level	Cantons	Shared delivery of social care
	Local level	Municipalities	Shared delivery of social care
Non-institutional actors	Service providers		

Competences

The delivery of social care services is shared between the canton and the municipalities.

Education

Education is in the competence of all levels according to the educational level. The federal level is competent for the regulation of the tertiary education. The federal government directly finances the two federal technical universities. The cantons are competent for the cantonal universities and universities of applied sciences. The cantons also regulate the primary and secondary education and pay for them together with the municipalities. Cantons usually define a minimum number of pupils to keep a class / school running.

Policies and legal frameworks

SGI	Type of document	Name
Education	Law	BFI-Botschaft 2016 - 19
Education	/	/

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	Runs two federal technical universities
	Regional level	Canton	Regulate the primary and secondary education
	Local level	Municipalities	Child center and primary school
Non-institutional actors	Universities, Schools		

France

General presentation

The French Republic is one and indivisible. The nation state guarantees the public interest, which in the French tradition is more than the sum of individual or collective interests (From *Du contrat Social*, JJ Rousseau).

In this sense, the laws and regulations governing the services are supported by the French state and applied to all the French territory (there are some exceptions such as mountain areas with the 1985 *Mountain Act* which provides for exceptions to the general rule). The *law on rural areas* (Loi n° 2005-157 du 23 février 2005 relative au développement des territoires ruraux) also helps to provide a specific look at the rural and mountain area issues.

In principle, the state takes care of the general interest which includes sovereign services: security, justice, public administration, including taxation and let the market take care of economic services. However, this principle has experienced exceptions from the nineteenth century with the national health public service (public hospitals) and the national education public service taken back by the Republic, not to leave the Church manage these areas. Moreover, in case of market failure to provide social needs for all in all territories, the State and local authorities may intervene in the management of economic services to the population; so it intervened in the twentieth century for health reasons in the management of sanitation and drinking water supply, in the supply of electricity, in the management of public transport, in management and delivery of mail and in the development of telecommunication networks etc ...

France national organization is structured around 2 logics:

In one hand, the State has centralized structures (ministries, central administrations) on most of the topics. It has territorial delegations of those mainly through the 'préfectures' and 'sous-préfectures' at a department level. They are completed in some domains of specific skill of the State (like security, veterinary control, taxes...) by local State administrations. This is the 'deconcentration'.

Second logic is the delegation by the State to local authorities that have their own elected and their own budget, this is the 'decentralization'. Those authorities are:

- the Regions: 12 in metropolitan France plus the Corse and 5 ultramarine regions
- the Departments: 96 in metropolitan France plus 5 ultramarine departments
- the Communes (municipalities): more than 36000
- the intermunicipalities (EPCI - Etablissements Publics de Coopération Intercommunale): 1266 on 1st january 2017 after a sharp decrease of their number these last years.

Impact of this organization on the service provision

Service provision falls within the jurisdiction of general common rules set by the State but depend (for the operational) on each decision-making level. Municipalities directly take action on the services falling within their jurisdiction, but they don't have any control over the services delivered or funded by other authorities (department, region, State and public or private institutions providing services. The policies of each territorial level and each service sector are specific and autonomous. That is why no governing body harmonizes the services offer, to make it accessible and consistent. The public supervisor (the State or local authorities of different levels) may delegate the implementation of services to another authority:

- vertical delegation: a higher authority delegating to an authority of a lower level.
- Horizontal delegation: from a municipality to the intermunicipality.
- other kinds of delegation to the private sector (for example water and sanitation provision to private companies like Veolia).

Policies and legal frameworks

SGI	Type of document	Name
General	Legislation	« NOTRe » Act of August 7th 2015 (New territorial organisation of the Republic)
General	Legislation	Mountain Act
General	Legislation	The law for Modernisation of Territorial Public Action and Affirmation of the Metropolis (known as the MAPAM law) January 27th 2014

General	Strategy	<u>Isere departmental plan for intercommunal Cooperation (2011)</u>
General	Strategy	<u>Alpes de Haute Provence departmental plan for intercommunal Cooperation (2011)</u>
General	Strategy	<u>Savoie departmental plan for intercommunal Cooperation (2011)</u>

Mapping of actors

Category of actors	Institutional level	Authority	Main Powers
Institutional actors	National level	The State	Sovereign services(police, justice, public administrations, education) networks services: train (SNCF); electricity (EDF); gas (GRDF); post offices (La Poste) social welfare: employment (Pole Emploi), family supplements (CNAF - Caisse Nationale d'Allocation Familiale / National family supplements organization), health insurance (CNAM - Caisse Nationale d'Assurance Maladie / National health insurance organization), pension plan (CNAV - Caisse Nationale d'Assurance Vieillesse / National pension plan organization), agricultural world (MSA - Mutualité sociale agricole/ agricultural social mutual insurance).
	Regional level	Region	Universities and high school, professional training, economy innovation and support, transports.
	Regional level	Departments	Secondary schools, departmental transports, health and social matters, solidarity, Childhood and youth affairs, elderly and handicapped persons, culture, ...
	Local level	Intermunipalities	Territory development, economic development, waste management to the intercommunality, and other jurisdictions are optional.
	Local level	Municipalities	Among the required jurisdictions are water, sanitation, administrative services (civil status, town planning), primary school, collect local taxes.

Regional development

The implementation of regional development mainly relies in the competency of the regions and subregional levels (e.g. Leader action groups). We therefore cite here some policies and legal frameworks from the two alpine regions Auvergne-Rhône-Alpes and Provence-Alpes – Côte d'Azur PACA.

Policies and legal frameworks

SGI	Type of document	Name
Regional	Legislation	<u>February 23th Act about rural areas development</u>

Synthesis of AG5 governance mechanisms

development		
Regional development	Legislation	<u>Spatial Planning and Sustainable Development Act of June 25th 1999</u>
Regional development	Strategy/Guideline/Plan	<u>VERDON LEADER 2014-2020 ("Verdon reinvents its rurality: Enhancing the economic, social and ecological transition of the territory")</u>
Regional development	Strategy/Guideline/Plan	<u>Alpes Sud Isère LEADER (Supporting territory towards new economic development opportunities) 2014-2020</u>
Regional development	Strategy	<u>Pays de Maurienne Development Charter (2004)</u>
Regional development	Strategy	<u>Pays A3V Charter (2003)</u>
Regional development	Strategy	<u>PACA Project contract State-Region 2015-2020</u>
Regional development	Strategy	<u>PACA Regional Spatial Planning and Development plan 2030</u>
Regional development	Guideline	<u>Pays de Maurienne Public service plan (2016)</u>
Regional development	Plan	<u>Territorial contract between Maurienne and Savoie (2012-2017)</u>
Regional development	Plan	<u>Pays A3V Regional territorial balance Contract</u>
Regional development	Plan	<u>Interregional agreement for Alpine massif 2015/2020</u>
Regional development	Programme	<u>Rural development programme (Regional) - PACA 2014-2020</u>
Regional development	Spatial plan	<u>Grenoble Territorial Cohesion blueprint</u>
Regional development	Spatial plan	<u>Oisans Territorial Cohesion blueprint</u>
Regional development	Spatial plan	<u>Pays de Maurienne territorial Cohesion blueprint</u>

Mapping of actors

Category of actors	Institutional level	Authority	Main Powers
Institutional actors	National level	The State	Coordination at national level mainly through the Commissariat général à l'égalité des territoires (CGET).
	Regional level	Region	Accessibility of services (PDR PACA for example) with digital equipment of peripheral areas (CIMA), cultural and sports development (territory agreements).
	Regional level	Departments	
	Local level	Intermunicipalities	Territory development, economic development, waste management
	Local level	Municipalities	Administrative services (town planning)

Basic goods

Policies and legal frameworks

No special regulation on Basic goods.

Mapping of actors

Category of actors	Institutional level	Authority	Main Powers
Institutional actors	National level	The State	Networks services: post offices (La Poste).
	Regional level	Region	Economy innovation and support.
	Regional level	Departments	/
	Local level	Intermunicipalities	Economic development.
	Local level	Municipalities	Search for innovative solutions and support to initiatives coming from service providers.
Non-institutional actors	/	/	The intervention fund for services, crafts and trade (FISAC) notably allows support to professionals in difficulty. (craftsmen working with local products in the country).

Transport

The central government is responsible for passenger transport at big distances, especially the emblematic TGV-Lines. Regional authorities are competent for public transport in their area. Cities are planning and financing the urban transport networks, rural villages have to take care e.g. of school transports.

Policies and legal frameworks

SGI	Type of document	Name
Transport	Strategy / Programme	<u>The act of December 30th 1982 about domestic transport</u>
Transport	Strategy	<u>PACA Regional Transportation Plan 2006</u>
Transport	Strategy	<u>Regional political framework for ecomobility Rhône-Alpes 28/3/2013</u>
Transport	Strategy	<u>Regional political framework for improving local transport commissions between service providers and customers / passengers</u>

Transport	Strategy	<u>Regional political framework concerning new services offered in railway stations</u>
Transport	Strategy	<u>State / Region planning contract 2015-2020</u>

Mapping of actors

Category of actors	Institutional level	Authority	Main Powers
Institutional actors	National level	The State	Networks services: train (SNCF) Collective transport services are driven by Transport Organising Authorities in partnership with the State for major routes, as an example France Railways Network (RFF) takes care of the railways infrastructure.
	Regional level	Region	Regions organize trains and buses of regional interest (TER and LER) entrusted by delegation of public service to private providers as part of regional transport plans.
	Regional level	Departments	School transport and intra-departmental bus connections via public market or public service delegation contract entrusted to private operators.
	Local level	Intercommunalities	/
	Local level	Municipalities	/
Non-institutional actors	Company	Private providers	Public service delegation at every level.

Telecommunication

Launched in spring 2013, the French Very High-Speed Broadband Plan (Plan France Très Haut Débit) seeks to ensure that the entire country is covered by cutting-edge digital infrastructure, the digital transition's backbone.

Specifically, the Plan calls for bringing very high-speed broadband service to every home, business and government office in France by 2022. A mapping tool tracks its progress: the National High-Speed Broadband Monitoring Centre.

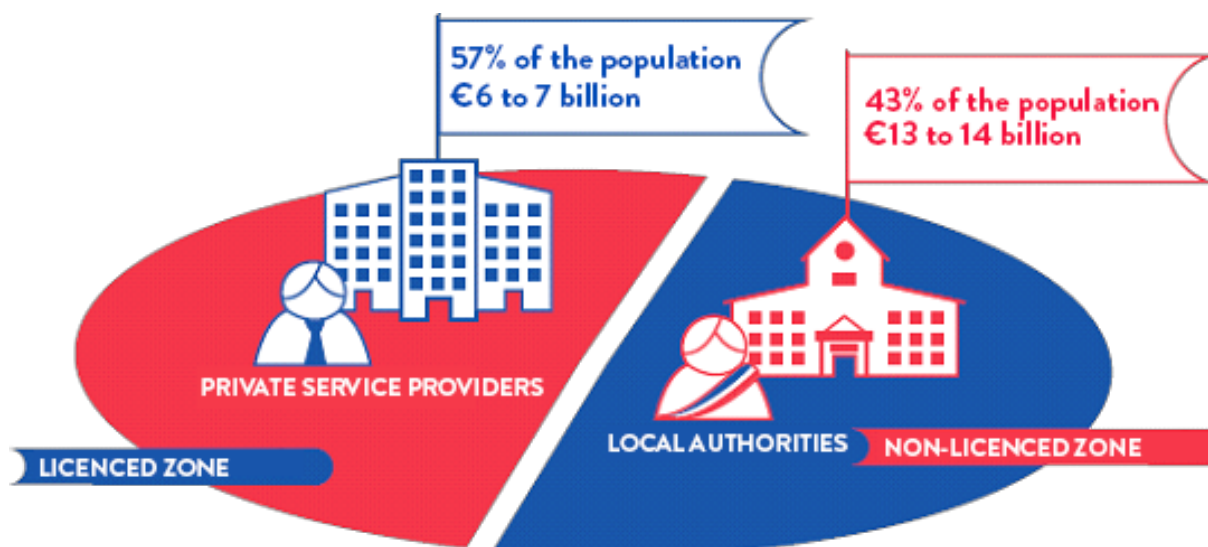
To reach its goal, the Plan is making a 10-year, €20-billion investment shared by private service providers, local authorities and the Government.

Private service providers install private FttH ("Fiber to the Home") networks in metropolitan areas and departmental capitals.

Local authorities install public networks outside metropolitan areas to fill the gaps left by private networks.

The Government is providing financial support for local authorities' projects by:

- Releasing €3.5 billion in subsidies
- Making available long-term loans (up to 40 years) at very low rates (the livret A rate + 1%) by drawing on regulated savings deposits.



Complementing the French Very High-Speed Broadband Plan, The French Digital Agency manages two programmes to provide so-called dead zones with mobile phone and Internet coverage (at least 3G):

- The “urban out-of-range” programme provides every town centre in metropolitan France with mobile coverage.
- The call for “800 strategic sites” project aims to bring mobile coverage to areas of economic and tourism development.

France decided in October 2017 to invest 700 Mio. € in the digital transformation of it’s public services (Action publique 2022). Service delivery to citizens should be completely digital by 2022. This action will also help to strive for a better integration of services.

At regional level, the authorities strive to improve the digital accessibility through various strategies and plans, as illustrated in the table below.

Policies and legal frameworks

SGI	Type of document	Name
Telecommunication	Strategy	<u>Territorial outline plan for digital planning in Isère 2015</u>
Telecommunication	Strategy	<u>Alpes de Haute Provence Territorial outline plan for digital development (2012)</u>
Telecommunication	Strategy	<u>Territorial outline plan for digital development in Savoie 2012</u>
Telecommunication	Strategy	<u>PACA Regional Cohesion strategy for Digital planning (2011)</u>
Telecommunication	Guideline	<u>Digital Rhone -Alpes</u>

Mapping of actors

Category of actors	Institutional level	Authority	Main Powers
Institutional actors	National level	The State	General regulation of the telecom sector aligned to the EU-directives. Broad band initiative.
	Regional	Region	The guidance of the digital development

	level		(SCORAN for PACA and Rhône Alpes Numérique) is fixed at regional level including broadband access infrastructures and other aspects of digital uses.
	Regional level	Departments	Master Plans of Territorial Digital Development at departmental level are their concrete declination, now carrying a part dedicated to digital uses (digital mediation, access to services, education ...). In the Provence Alpes Côte d'Azur, the joint public association PACA THD (broadband access) is responsible for the implementation of fiber optic in the Alpine part of the region. The civil engineering is delegated to private companies over public markets.
	Local level	Intermunicipalities	/
	Local level	Municipalities	/
Non-institutional actors	Company	Private providers	The civil engineering is delegated to private companies over public markets.

Health Care

Health and social sector was once controlled by the Direction of Health and Social Affairs (State) and was transferred to the departments within the guidelines laid down regionally in the medico-social regional scheme (State and Primary Health Insurance).

Policies and legal frameworks

SGI	Type of document	Name
Health	Legislation	<u>July 21st, 2009 Act about Hospital, patients, health and territories (known as HPST Act)</u>
Health	Legislation	<u>The 26th january 2016 act about health system (Touraine law)</u>
Health	Strategy / Programme	<u>Rhône Alpes regional Health programme/Plan</u>
Health	Strategy	<u>PACA Regional Health Program 2012-2016</u>
Health	Strategy	<u>PACA Regional Health Care Program 2012-2016</u>
Health	Guideline	<u>Reducing inequality of access to health services for regional citizens</u>

Mapping of actors

Category of actors	Institutional level	Authority	Main Powers
Institutional actors	National level	The State	Health insurance (CNAM - Caisse Nationale d'Assurance Maladie / National health insurance organization)
	Regional level	Region	

	Regional level	Departments	Health and social matters.
	Local level	Intermunicipalities	
	Local level	Municipalities	Sanitation.

Social Care

Social services are mainly regulated at national level but implemented at subregional level.

Policies and legal frameworks

SGI	Type of document	Name
Social care	Legislation	<u>The act of February 11th 2005 for equal rights and opportunities, participation and citizenship of disabled people</u>
Social care	Legislation	<u>Adaptation of society to the ageing of the population Act of December 28th 2015</u>
Social care	Legislation	<u>The act of January 2nd, 2002 reforming social and medico-social intervention</u>
Social care	Strategy	<u>Isère Departmental plan for the Autonomy of disabled and elderly people 2011-2015</u>
Social care	Strategy	<u>Alpes de Haute-Provence Departmental plan for ederly people 2015-2017</u>
Social care	Strategy	<u>Alpes de Haute-Provence Departmental plan for children and families 2016-2020</u>

Mapping of actors

Category of actors	Institutional level	Authority	Main Powers
Institutional actors	National level	The State	Employment (Pole Emploi), family supplements (CNAF - Caisse Nationale d'Allocation Familiale / National family supplements organization), pension plan (CNAV - Caisse Nationale d'Assurance Vieillesse / National pension plan organization)
	Regional level	Region	
	Regional level	Departments	Health and social matters, solidarity, Childhood and youth affairs, elderly and handicapped persons.
	Local level	intermunicipalities	
	Local level	Municipalities	Directions are available operationally at the regional level (Pole Emploi and DIRECCTE) and local level (Pole Emploi territorial agency and departmental delegation of DIRECCTE implementing occupational integration policies and employment assistance).

Non-institutional actors		Social partners	Unemployment insurance results in an agreement between the social partners to secure contributions and support levels.
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Education

The field of education is a shared responsibility of all state levels.

SGI	Type of document	Name
Education	Legislation	<u>Professional training, employment and social democracy Act of March 5th 2014</u>
Education	Legislation	<u>Higher education and research Act of July 22nd 2013</u>
Education	Legislation	<u>July 8th, 2013 Act reforming primary school</u>
Education	Strategy	<u>PACA Regional Higher education and research and innovation plan (2014)</u>
Education	Strategy	<u>Rhône Alpes development plan for the regional public service of orientation</u>
Education	Programme	<u>PACA Regional employment and apprenticeship program 2015-2016</u>

Mapping of actors

Category of actors	Institutional level	Authority	Main Powers
Institutional actors	National level	The State	Sovereign services (education) strategy to improve education programs and teachers training. Higher education is managed by the State in partnership with the region notably in the framework of the CPER through academies or inter-academic areas.
	Regional level	Region	Universities and high school, professional training: Vocational training, formerly controlled by the State, was largely entrusted to the regions that make projects calls for learning and continuous occupational education. The needs analysis is done at infra-departmental training areas (Program for Regional Public Service of Continuing Education 2015-2016 PACA).
	Regional level	Departments	Secondary schools: Decentralizes through specific territories: academies administered by the education authorities. Collèges (Junior High School, children and youth of age 12 to 16 years) are managed in the same way by departments and Lycées (Senior High School, youth of age 16 to 18 years) by the regions.

	Local level	intermunicipalities	/
	Local level	Municipalities	Primary school: The kindergarten and primary school (children of age 3 to 11 years) are run for the practical aspects (premise, after-school time, canteen, child care)
Non-institutional actors		Associations	There are a variety of support structures for helping creation or corporate finance, often subsidized associations unevenly present in the territories and often uncoordinated. The project areas are very active in coordinating these aspects in our territories

Italy

General presentation

With the constitutional reform in 2001, based on the constitutional law no. 3/2001, the role and competences of the regions with normal statute, the local administration as well as the financial autonomy were strengthened. Thus, administrative competences were transferred from the centre to the periphery.

The municipalities entail the administrative responsibility to govern local public services (i.e. maintain the local transport network, supply water and energy, public lighting, collect waste, prepare the commercial plan and monitor trade activities, grant licenses, registration office, maintain public security including police and fire brigade etc.) and are directly or indirectly responsible for managing these services as municipal authorities. Usually the mayors - are members in the administrative boards of public financed organizations (Pichler 2013).

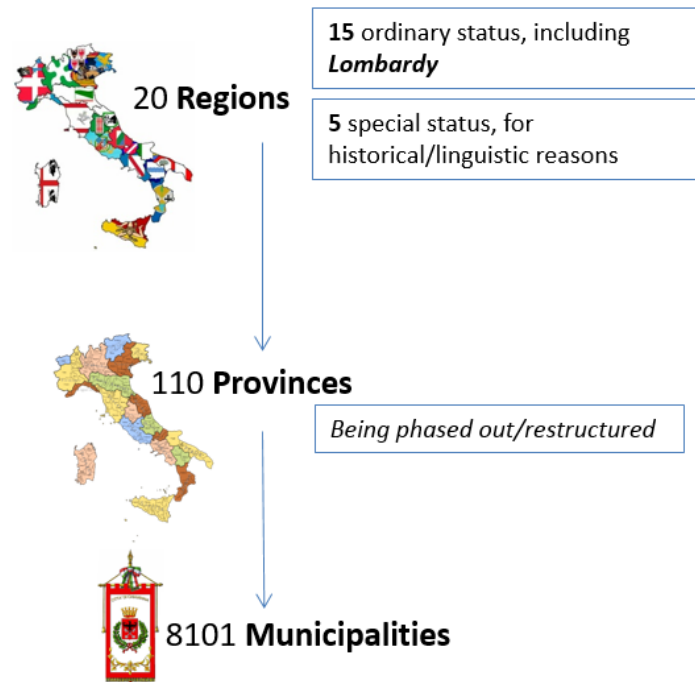


Figure 4: Administrative levels. In addition, municipalities in mountain areas can join in inter-municipal entities called "Mountain Communities".

The general governance tasks of the municipalities encompass typical administrative issues concerning bureaucratic aspects like certifying licenses or notifications concerning various purposes from military service to commercial activities at public places.

Moreover, the municipalities have to cover all those tasks of the registration office like issuing passports, notification of the residency for immigrants and for those emigrated abroad, marriage etc.

Besides these tasks, the municipalities also host a tax office for surveying the local taxes. Municipalities take taxes for first and second homes, and industrial buildings, but also for commercials. Furthermore, municipalities charge a fee for public kindergarten or the public-school canteens.

The trend towards more regionalism since 2001 has been hampered by the new constitutional revision plans of 2015. However, the referendum on 4 December 2016 resulted in most of the Italians voting "No" for the reform while the majority of South Tyroleans voted "Yes". Thus, the reorganization of the system with more decision competences for the national government and more centralization was not supported.

The Italian Constitution of 1948, reformed in 1972, 1990 and 2001 (Italian Constitution Title V), grants two Provinces (Bolzano and Trento) and four Regions (Sicily, Sardinia, Valle d'Aosta and Friuli-Venezia-Giulia) significant powers in its legislative, administrative and financial competences, which should protect local and cultural minorities at the national level. As example of such autonomous governance, this document reports the present legal framework of the autonomous Province of Bolzano-Suedtirol.

Italy has adopted in 2016 a special law on SGI and is therewith one of the rare countries to have such a specific law. As regards public transport, the whole EU legal framework mentioned above is applied in Italy, involving three levels of authorities (Local: Municipalities and Provinces, Regional: Regions, National). Part of the regulating powers are attributed to sectoral independent authorities, for transport, telecommunications, energy, etc.

Policies and legal frameworks

SGI	Type of document	Name
General	Legislation	<u>Constitution - art. 43 - 44 - 117</u>
General	Legislation	<u>National Law for Municipality organization and competences</u>
General	Legislation	<u>Italian national law for European Directive 2006/123/EC implementation.</u>
General	Legislation	<u>National law (draft) about services of general economic interest (SGEI) at local level</u>
General	Legislation	<u>Essential public service</u>
General	Legislation	<u>Dir.P.C.M. 27 January 1994. Principles on the delivery of public service</u>
General	Legislation	<u>Deliberation n.3/2012. Guidelines for the improvement of the quality of public service tools.</u>
General	Legislation	<u>Decree of the President of the Republic 22 March 1974, n.381. Provisions implementing the Special Statute for the Region Trentino-South Tyrol in the field of urban planning and public works</u>

Mapping of actors

Institutional actors	National level	The State
	Regional level	Regions
	Sub regional level	Provinces
	Local level	Municipalities

Regional development

Regional development is mainly within the competence of the regions. We therefore illustrate in the following table some policies and legal frameworks in Lombardy region and in the autonomous province of South Tyrol as two examples.

As a fundamental plan for the development of mountain and peripheral areas the **National Rural Development Plan 2014 – 2020** is essential as it provides a strategy for sustainable local development, urban and rural area as well as essential service (general services of economic interest, irrigation services, energy, broadband and ultra-broadband, integrated water services, transport). This is the basis for the regional development plan of South Tyrol. The most important measures integrated in the program regarding rural areas is to promote the transfer of knowledge and innovation; social inclusion and poverty reduction as well as economic development which includes implementing actions through the involvement and collaboration of different stakeholders within the territory. Regarding relevant documents of the regional development sector, the **Partnership Agreement 2014 – 2020** has to be mentioned (European Commission, 2014), it includes a specific integrated development strategy for cities and inner areas. The “Strategy for Inner Areas in Italy 2014 (Barca et al 2014) that should contribute to the economic and social recovery, creation of jobs and development of social inclusion, especially in areas characterised by geographical isolation,

demographic decline and lack of basic services, which are individually defined by the regions.

Regarding the peripheral areas, South Tyrol's **regional development strategy 2014 – 2020 (Regionale Entwicklungsstrategien 2014-2020)** focuses on the approach of community-led local development. Measures regarding this aspect include the stabilisation of economic areas particularly agriculture and tourism, increasing living quality by guaranteeing working place in the periphery as well as Refining the local, agricultural products in order to increase the local added value (Tappeiner 2013). Directly linked to the development of peripheral areas in South Tyrol the **Operational Programme 2014 – 2020 (Operationelles Programm 2014-2020)** was chosen as crucial document to be included in dataset as it foresees the promotion of access into the labour market, professional inclusion of disadvantaged people, enforcing educational and occupational training, promoting public administration. For these objectives the province of Bolzano has 136.621.198 € available, whereby this amount is split between EU (50%), State (35%) and province (15%) (Autonome Provinz Bozen Abteilung Europa 2015).

Besides these strategies South Tyrol has the development plan of landscape and region of the year 2000 (**Landesentwicklungs-und Raumordnungsplan) LEROP** (Autonome Provinz Bozen 2016). The plan considers both the territorial development as well as spatial planning in one document. This plan should be the guideline for provincial legislation. It establishes the principles for a balanced and coordinated development of the province Bolzano/South Tyrol and is regulated by the provincial law no. 3/1995. In addition, the LEROP foresees that the 116 municipalities are organised economically, socially and culturally in 15 small functional regions organised around a central locality, where supply facilities of different levels are available for the population at a reasonable distance. As this planning instrument, also including general services such as basic goods, public administration and its provision of services (legal services, defence, public security and order, education and health care, social welfare) dates back to 2000. Thus, currently the LEROP is being revised and a new version will be available in the near future (Autonome Provinz Bozen 2016).

The Smart specialisation strategy 2014 includes innovation strategies for the sectors energy and environment, alpine technology, food technology, ICT, creative economy and medical technologies and is based on the governance model that maximises the participation of key stakeholders such as institutions, research centres, enterprises, civil society (Autonome Provinz Bozen 2014).

Policies and legal frameworks

SGI	Type of document	Name
Regional development	Legislation	<u>Provincial Law 11 August 1997, n. 13. Provincial Urban Law</u>
Regional development	Legislation	<u>Regional funds to support Lombardy small municipalities</u>
Regional development	Legislation	<u>Reorganization and legislation for Lombardy Mountain Communities and Municipalities Unions</u>
Regional development	Legislation	<u>Regional Law for re-organization of local institutions and their competences, and rules for the definition of mountain territories specificity.</u>
Regional development	Legislation	<u>Regional actions to support population living in mountain areas</u>
Regional development	Strategy	<u>Tourism Strategy for Hinterland Areas / Axis 6 - ERDF 2014-2020 Lombardy ROP</u>

Regional development	Strategy	<u>Autonomous Province of Bolzano. Strategy for regional development 2014-2020</u>
Regional development	Guideline	<u>Guidelines for mountains areas development</u>
Regional development	Programme	<u>Autonomous Province of Bolzano- Operational programme. European Social Fund 2014-2020</u>
Regional development	Programme	<u>National Programme for rural development 2014 - 2020</u>
Regional development	Agreement	<u>Italy Partnership Agreement 2014-2020</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	Sets the urban and spatial planning.
	Regional level	Regions	Competent for regional development.
	Sub regional level	Provinces	
	Local level	Municipalities	Implementation of Regional development.
Non-institutional actors	/		

Basic goods

Some regions / provinces have adapted specific actions to maintain the access to basic goods on their territory. As an exemple, we cite the intervention in South Tyrol.

In South Tyrol, the department for trade and services - integrated in the division for economy - is the political representative for governing items concerning basic goods. Operatively this department is supported directly by the chamber of commerce and the chamber of trade and crafts, which are business incubators and innovation centres for promoting the sector.

Particular in behalf of the peripheral situation of remote located villages in its mountain territories, South Tyrol is fostering 71 remote grocery shops financially. According the directive no. 487/2015 special measures for promoting services of general interest in remote areas, referring to the provincial law no. 4/1997, can be detected to grocery shops. In the case of opening that shop new in those as remote determined areas, a subsidy of 15,000€ can be provided to the proprietor. On the other hand, for maintaining the already active grocery shops in these zones, they can be fostered with maximal 9,000€ in exceptions even with 11,000€ annually. Pre-condition for receiving those subsidies are:

- The turnover cannot exceed 400,000€
- The shop's area is limited to 150m²
- The shop needs to be accessible on six days a week at least for three hours
- The village needs to have more than 150 inhabitants and the next option for buying food and goods is more than three kilometres away.

So far, there were 71 of peripheral located groceries benefitting from that regulation.

Besides, also the provincial law no. 15/1975 is relevant for governing the trade and service sector. It regulates measurements to allocate subsidies to municipalities, consortia or other corporations for buying building-ground, to provide infrastructure for installing trade and service zones in the province.

Policies and legal frameworks

SGI	Type of document	Name
Basic goods	Legislation	<u>Provincial Law 13 February 1997, n. 4 - Extraordinary Interventions of the Autonomous Province of Bolzano-South Tyrol to support the economy</u>
Basic goods	Legislation	<u>Deliberation 28 April 2015, n. 487. Extraordinary intervention in favour of local supply services - Provincial law 13 February 1997, n.4</u>
Basic goods	Legislation	<u>Deliberation n. 4036 of 12.11.2001. Approval of the addresses and provincial programmers criteria for a rational distribution system development, to be observed in presdisposizion of municipal planning tools and provincial, as binding, respectively for me</u>
Basic goods	Legislation	<u>Deliberation n.1588 of 08.06.2009. New provincial plan approval for large sales structure (article 3, provincial legislation 17 February 2000, n.7 ed articolo 5, D.P.G.P 30 October 2000, n.39)</u>
Basic goods	Legislation	<u>Law for trade and fair sector development</u>
Basic goods	Plan	<u>Action plan on trade 2008-2010 - financial support for the "Trade Districts Promotion" action - D.G.R. 7730/2008</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	-
	Regional level	Regions	-
	Sub regional level	Provinces	The department for trade and services - integrated in the division for economy - is the political representative for governing items concerning basic goods.
	Local level	Municipalities	
Non-institutional actors	Company		Small retailers or markets provide basic goods for everyday needs.

Transport

As mentioned above, Italy fully applies the EU rules on public transport. The sectoral national regulator is ART (Autorità di Regolazione dei Trasporti), based in Turin.

The EU regulation n. 1370/2007 is directly on force in Italy. The Italian legal framework for public transport is completed by a national framework law (the Decree n. 422/1997) plus 19

regional laws and 2 provincial laws. In fact, the Italian governance for this sector is based on the subsidiarity principle.

The national state is responsible for long-run passenger transport, regional authorities are responsible for the public transport networks in their area and cities are responsible for public transport in their metropolitan area. This shared competency leads to a huge diversity in transport offers and big differences in the quality of the services at subnational level.

As an example, the Autonomous Province of Bolzano has primary competences in regulating transport matters regarding the province interests, unified criteria for timetables, tariffs and service contracts have been established. Moreover, the local public transport (Öffentlicher Personen Nahverkehr-ÖPNV) is coordinated between the province and the municipalities, latter providing part of the financial means for local municipal transport service, thus an administrative integrated approach exists (BMVI 2015).

The Traffic Association South Tyrol (Verkehrsverbund Südtirol 2017), is characterised by the pool of the various public transport means, that are organised by different concessionaire: i.e. SAD-local bus company, SASA –Städtischer Autobus Service AG city bus service AG, Trenitalia-state railway company or the consortium “LiBUS”-Linienbusunternehmen with 20 businesses. All those services, bus, trains, cable car are unified in one common tariff-system. Politically responsible is the “Department for Mobility” (Interview Province Department for Mobility).

Policies and legal frameworks in the autonomous Province of Bolzano Suedtirol

SGI	Type of document	Name
Transport	Legislation	<u>Provincial Law 14 December, 1974, n. 37 Expenses and fees for research and projects on transport</u>
Transport	Legislation	<u>Decree of the President of the Province, 13 November, 2008, n. 63 Management of the airport in BZ</u>
Transport	Legislation	<u>Provincial Law, 23 November 2015, n. 15, Public mobility</u>
Transport	Legislation	<u>Decree of the President of the Republic 19 November, 1987, n. 527. Provisions implementing the Special Statute of Trentino-South Tyrol in the field of communications and transport of provincial interest.</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	National regulation, long distance connections.
	Regional level	Regions	Primary competences for transport including regulations of cable car plants.
	Sub regional level	Provinces	Taken over by regions with the institutional reform.
	Local level	Municipalities	Maintain the local transport network.
Non-institutional	Company	STPS	Public transport service is provided in all municipalities by STPS, a company almost entirely owned by

actors			public administrations ³ , and by the Swiss Autopostale.
	Company	ANAS	Manages the national roads.
	Company	Trenord	Manages the regional train service.

Telecommunication

The Digital Agenda for Europe provides that Member States should develop and make operational national broadband plans by 2012 that meet the coverage and speed and take-up targets defined in Europe 2020, using public financing in line with EU competition and state aid rules. In line with the above policy, in order to coordinate the different interventions across the national territory for the roll-out of broadband infrastructures, the Italian Government decided to set up a National Broadband Plan. The Plan is aimed at allowing all the Italian population, nowadays excluded from the network society, to enjoy high speed broadband access. The Italian authorities pointed out that the Plan will set up a national framework in order to overcome non-harmonized interventions carried out at the regional and local levels and thus contribute to bridging the digital divide of areas not covered by adequate services. To this aim, Italy has adopted the Law 69/2009 entrusting the Ministry of Economic Development with the power to coordinate all the local interventions for broadband deployment. According to the Italian authorities, the Plan will make available for all citizens a powerful and reliable network and, in this regard, allow them to take advantage of the main digital applications that will develop in the next 3-5 years.

First, the Italian authorities envisage the rollout of a state-of the art backhaul network, to which all (wired and wireless) telecommunications operators will be able to connect at equal and non-discriminatory conditions. Second, wherever the envisaged backhauling intervention is not sufficient because of deficiencies in the access segment, the Broadband National Plan foresees the direct funding of operators for the rollout of an adequate last mile infrastructure. Third and residually, for the very low-density areas facing a broadband connectivity deficit, where no infrastructural intervention would be economically viable, the National Plan provides for the direct funding of alternative terminal access devices.

On subnational level, the regions and provinces have adopted their own broadband strategies. As an example, South Tyrol has elaborated a broad band strategy where the provincial government is financing the backbone and the municipalities have to assure the last mile. They can get financial support for this action by the provincial government. The provincial government delegated the exploitation and maintenance of the network to the Infranet AG.

Policies and legal frameworks

SGI	Type of document	Name
Telecommunication	Legislation	<u>Provincial legislation 19 January 2012, n.2. Promotion of broadband in the territory of province</u>
Telecommunication	Legislation	<u>Decree of the provincial president 13 November 2012, n. 38. Guidelines for the preparation of the master plan for the construction of the network of fiber access in municipalities of South Tyrol</u>
Telecommunication	Legislation	<u>Decree of the provincial president 13 November 2013,</u>

³ Province of Sondrio, Mountain Communities of Valtellina and Valchiavenna, municipalities of Valtellina.
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		<u>n. 36. Regulation on the communication infrastructure with transmitting facilities</u>
Telecommunication	Strategy	<u>Ultrabroadband Italian strategy (Infrastructure)</u>
Telecommunication	Strategy	<u>Digital growth strategy (demand side)</u>
Telecommunication	Strategy	South Tyrolean Broad band strategy
Telecommunication	Strategy	<u>Lombardy Digital Agenda</u>
Telecommunication	Programme	<u>ERDF 2014-2020 Lombardy ROP - Axis 2 Enhancing access to, and use and quality of ICT</u>
Telecommunication	Programme	<u>Essential services for rural areas - Rural development programme (RDP) Lombardy EARDF 2014-2020 ROP - Objective 7</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	The Ministry of Education, Science and Sport- Directorate for the Information Society ⁴ , Ministry of Culture (media field), and the Agency for Communication Networks and Services (Ministry of Education, Science and Sport, 2017, Ministry of Culture, 2017, Agency for Communication Networks and Services; AKOS, 2014).
	Regional level	Regions	Primary competences for telecommunication on their territory.
	Sub regional level	Provinces	
	Local level	Municipalities	Implementation at local level, mainly infrastructure for the last mile.
Non-institutional actors	Company	TIM	TIM and other operators provide the landline and mobile phone services.

Health Care

The national level guarantees the unified health protection. The principles are laid down in the National Plan for Health Services providing measures to guarantee essential level of care as well as the development of national health services, which the regions are responsible of applying. More specific actions are undertaken at subnational level. The province of Bolzano e.g. is entitled to a specific share of state funds regarding health service to reach/maintain the minimum standards (Alcock 2001). Even if the principle health services are free, the health care service is financed partly by public financial means (taxes). The other part of financing is allocated by employer contributions and private co-payments.

⁴ The Directorate for the Information Society is about to become a part of the Ministry of public affairs (Ministry of Education, Science and Sport, 2017).
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The four health districts (Gesundheitsbezirke), are furthermore divided in sub-districts (Gesundheitsprengel) are responsible for the operative service of care and treatment of the patients. These institutions closely collaborate with the social-sub districts and are administratively related to the South Tyrolean department on health care (Sanitätsbetrieb-central medical care entity).

The reform concerning healthcare service in South Tyrol “Health2020” Gesundheit2020) has been accepted by the provincial government, whereby its main objective is to strengthen the health care locally, with the objective of a demand-orientated and close to the resident; maintain the seven hospitals in the province even due to the shortage of specialists and financial means, resource consolidation and clear division of responsibilities as well as the optimisation of operational organisation and processes. Crucial measures regarding the provision of local health care services are the strengthening of household services (mobile care) in remote areas as well as building a network of all services providers in the districts of the catchment area and the hospital.

Under the health reform, the provincial health plan 2016-2020 (Autonome Provinz Bozen Landesgesundheitsplan 2016) was adopted with the provincial decree no. 1331/2016 and renewed the previous health plan of 2000-2002.

Policies and legal frameworks

SGI	Type of document	Name
Health	Legislation	<u>Evolution of the health and welfare system in Lombardy: changes to Title I and Title II of Regional Law 30 December 2009, n. 33 - Regional Law No. 23/2015</u>
Health	Guideline	<u>Regional Guidelines for chronic diseases and fragile conditions caring management 2016-2018 - DGR 4662/2015</u>
Health	Guideline	<u>Regional Guidelines 2015-2018 for diseases prevention management</u>
Health	Legislation	<u>Provincial law 5 March 2001, n.7. Reordering of the provincial health service.</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	Guarantees the unified health protection.
	Regional level	Regions	Administrative offices are under the responsibility of the regions (for instance through the ATS-Montagna).
	Sub regional level	Provinces	Secondary competences for public health care including the health and hospital care. (hospitals).
	Local level	Municipalities	
Non-institutional actors	/		

Social Care

At national level, the national framework law no. 328/2000 on the implementation of the integrated system of interventions and social services promotes actions to ensure the quality of life, equal opportunities, non-discrimination in the area of social services. The integrative approach of this legal act provides the coordination and integration with health interventions and education as well as with the active training policies, starting and reintegration into work. It also foresees the cooperation between the different institutional levels and actors, entities participating with their own resources to the realization of the network, the most representative trade unions at national level as well as local health institutions.

As concerns social services the main legislative document at subnational level for South Tyrol is the provincial law no. 13/1991 as it foresees the basic services (i.e. citizen service, financial social assistance, social pedagogical services and house care) that need to be guaranteed in the province.

Policies and legal frameworks

SGI	Type of document	Name
Social care	Legislation	<u>Provincial law 30 Aprile, 1991, n.13. Reordering the provincial social service in the Province of Bolzano</u>
Social care	Legislation	<u>Evolution of the health and welfare system in Lombardy: changes to Title I and Title II of Regional Law 30 December 2009, n. 33 - Regional Law No. 23/2015</u>
Social care	Plan	<u>Self-sufficiency income and Social Inclusion</u>
Social care	Report	<u>Policy indication for the integrated health, social-health and welfare. Lombardy Region</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	Laying down the main principles, giving the general framework.
	Regional level	Regions	Territorial Social Care and Health Units.
	Sub regional level	Provinces	primary competences for public welfare.
	Local level	Municipalities	Implementation at local level.
Non-institutional actors	Service providers.		

Education

The administrative competences in education are decentralized, allowing the regions / provinces to regulate didactics, research, school development, administration and finance).

A special situation can be found in South Tyrol, due to its historic background and multi-language society.

Concerning the education sector South Tyrol and due to the province's history, this area is EUSALP Action Group 5

regulated very autonomously between the three linguistic groups. Thus, not only the Italian Constitution and Autonomy Statute of the province are relevant for the delivery of the education services but also the provincial law no. 7/1974 on “school welfare”, measures to secure the right to education, providing for services such as school feeding provided by the municipalities or third parties, school books, school transport organized by the provincial council, extraordinary school activities and services, that are supported by funds of the province. The law also comprises measures for disabled people such as transport or supervision service, also student hostels and accommodation. In addition, specific language courses for migrant people are included in the measures.

Principally, every municipality has its own kindergarten, school and facilities for traditional and cultural associations. On the one hand, this is ensured by the implementation of the Autonomy Statute. On the other hand, the province consciously made decisions to invest a lot in infrastructures in this sector so that life in rural areas is maintained, which can only function due to the well-organised school transport for remote settlements, which is organised by the municipalities but the province provides necessary funding. Schools in South Tyrol only are closed automatically if there are less than five children, which is not a political but administrative decision. In any other case, the provincial government has to decide yearly based on a list provided by the director of the provincial German school department if a school should be closed or not, this however has not happened so far (Interview German School Department).

Policies and legal frameworks

SGI	Type of document	Name
Education	Legislation	<u>Provincial Law, 31 August, 1974, n. 7, School welfare, measures to secure the right to education</u>
Education	Legislation	<u>Law 28 March 2003, n. 53. Delegation to the Government to define general standards of education and levels of performances in education and professional training.</u>
Education	Legislation	<u>Law 13 July 2015, n. 107. Reform of the national education and training system and the mandate for the reorganize of existing legislation</u>
Education	Legislation	<u>Quality, innovation and internationalization in education, training and employment systems - Regional Law 30/2015</u>
Education	Strategy	<u>Communication Strategy 2014-2020. National operative programme "For the school- Skills and location learning".</u>
Education	Plan	<u>Action plan for achieving targets of the education sector service 2009</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	Sets legal framework.
	Regional level	Regions	/
	Sub regional level	Provinces	organise the content of the schooling (kindergartens and school welfare).
	Local level	Municipalities	charge a fee for public kindergarten or the public-school canteens.
Non-institutional	/		

actors			
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Slovenia

General presentation

As oppose to the bigger countries in the alpine area (Austria, France, Italy and Switzerland), which have at least a three-level administrative division, the Slovenian administrative system only consists of two levels, the national and the local. At the local level, the Constitution of the Republic of Slovenia (Constitution; 1991) establishes a local self–government, carried out within municipalities that have the authority to autonomously manage local affairs. There are currently 212 municipalities in Slovenia, 11 of which are the so called urban municipalities (Ministry of Public Administration 2017a). The municipalities are in principle funded from its own sources. However, according to the law, the state can to some extend transfer its liabilities to the municipalities (e.g. education, nurseries, health care, etc.) and these need to be financed by the state. Municipalities regulate matters within its primary jurisdictions with municipal ordinances and rules, and the matters of transferred jurisdiction with decrees and other regulations, laid down by the national law (Ministry of Public Administration, 2017b). In general, municipalities issue local regulations and strategies in the fields of land use and spatial planning, mandatory and optional public utility services, public primary school and nursery provision, public health services, social services (adults education, music school, library), and transport safety (Ministry of Public Administration, 2017b).

Although, a large part of the state’s duties is completed at the local level, the government has not transferred all of the obligations to the municipalities. Instead, there is a network of the so called local administrative units, which preliminary decide on the administrative matters within the jurisdiction of the state that have been transferred to the local community. They perform specific tasks under the competence of the ministries, overseeing the legality, appropriateness, and professionalism of the work regarding the state’s liabilities, completed in the local community bodies (Ministry of Public Administration, 2017b). The division of municipalities and administrative counties only co-occurs in the cases of larger municipalities.

A definition of a region as a "self-governing local community that manages local affairs of wider importance, and certain affairs of regional importance provided by law" is also given by the Constitution (Art.143, 1991). However, the regional level in Slovenia has no administrative or governance powers. Since there are no regions or provinces in the administrative sense, the division by statistical regions (NUTS3) also presents the regional policy implementation framework. Nevertheless, regions, as some form of institution, can operate through the regional development agencies or centres.

As also confirmed by the document review, conducted for this project, in the current Slovenian legislation, mainly the terms “public services” and “public institutes” are still in use when refereeing to the services of general interest (SGI). Though, in governance senesce these institutions and services are more “state” than “public” (Government of the Republic of Slovenia, 2010). In 2011, a Proposal on the Services of General Interest Act was approved by the Slovenian government, which among others aimed to update and adapt the terms to the terminology used by the European Union in the field of SGI (Republic of Slovenia Government Communication Office, 2011). However, the law was never adopted. Generally, in Slovenia SGIs are defined by sectoral laws and organised by a responsible national or municipal authority, and can be either state or municipal, mandatory or optional (Ministry of Finance, 2015). The responsible authorities ensure the SGI provision either by establishing a public corporation or institute (e.g. health care homes, and schools), or by awarding a concession to a private company selected through a public tender procedure (Ministry of Finance, 2015). Largely, the SGI policy is made and decided by the sectoral or line ministries and agencies at the national level. However, as previously explained, the state can transfer

its liabilities to the local level. Therefore, some SGIs like pre-school and basic education, and primary health services are bound to be provided by the municipalities.

In addition to establishing a legal framework for the SGI provision, the umbrella regulations listed under “**general**” state some relevant objectives for the delivery of SGI in Alpine regions. The Constitution (1991; Article 71, p. 21) states "The state shall promote the economic, cultural, and social advancement of the population living in mountain and hill areas." Other documents however, do not mention Alpine space as such, but are relevant for the regulation of the SGI in the European internal market, aiming to mainly protect the provision of the services of non-economic interest essential for the wellbeing of the citizens (Act on Services in the Internal Market, 2010). Furthermore, they define subject fields of specific ministries, their tasks, powers and responsibilities related to the SGI provision (State Administration Act, 2002), and regulate and encourage social entrepreneurship, and private-public partnership to ensure the (additional) supply of products and services in general interest (Social Enterprises Act, 2012, Public-Private-Partnership Act, 2007). The (equal and effective) accessibility of SGI, is mainly regulated by the spatial “umbrella” documents. The Decree on spatial order of Slovenia (2004) and the Spatial Development Strategy of Slovenia (2004) emphasise, the services should be provided at all territorial levels (national, regional, and local), developed within the city and town centres, and equally accessible by public transport in 15 to maximum 30 min. The areas of social infrastructure and central activities (shops, banks, schools, etc.), as well as the residential areas should not be more than 5 min walk away from the first public transport station (Decree on spatial order of Slovenia, 2004). Next to the good public transport links, telecommunication infrastructure is also recognised as important for the social, cultural and regional development, and also to decrease distance-related problems, encourage the formation of new services, and to facilitate access to information and services (Spatial Development Strategy of Slovenia, 2004). Furthermore, the spatial planning documents recognise the integration of different sectors as crucial for the successful planning and decision-making processes.

Policies and legal frameworks

SGI	Type of document	Name
General	Legislation	<u>Constitution of the Republic of Slovenia</u>
General	Legislation	<u>Act on services in the internal market</u>
General	Legislation	<u>State Administration Act</u>
General	Legislation	<u>Social Entrepreneurship Act</u>
General	Legislation	<u>Public-Private Partnership Act</u>
General	Legislation	<u>Services of General Economic Interest Act</u>
General	Legislation	<u>Decree on notification procedure of the requirements for services</u>
General	Legislation	<u>Decree on Spatial order of Slovenia</u>
General	Strategy	<u>Spatial Development Strategy of Slovenia</u>

Mapping of actors

Institutional actors	National level	The State
	Local level	Municipalities

Regional development

The regional planning sector in Slovenia is of great importance for the delivery of SGI. The national Spatial Development Strategy (2004) emphasise the importance of SGIs for rational and effective spatial development, competitiveness, and polycentric development of the network of cities. Spatial planning is within the jurisdictions of the state and municipalities. Broadly, at the national level the responsible and decision making body is the Ministry of the environment and spatial planning. At the local level the authority is given to the municipal spatial planning departments.

The general aim of the strategies in the regional development sector is a balanced development of (mountainous) remote areas, which is closely related to the SGI provision. However, the strategies state vague and broad development objectives (e.g. sustainable regional development, encouraging social inclusion, decrease regional development disparities, etc.), not particularly aimed at specific SGIs. Instead, they provide guidelines and regulatory framework, and enable (financial, administrative) support for the local communities to identify and pursue their own development goals. Thus, the documents emphasise the importance of cooperation (amongst relevant actors, sectors, administrative levels) and the policy-making “bottom-up” approach, considering the local development potential and capacity, and strengthening of social capital through active involvement of the local population in the overall planning and decision-making (Promotion of Balanced Regional Development Act, 2011, Decree on Measures for Agricultural Structures Policy and Rural Development Policy, 2015, Decree on the Implementation of Community-led Local Development in the Programming Period 2014-2020, 2015). Nevertheless, to improve the accessibility of SGI, enable social inclusion, boost the economic development, etc., two underlining objectives have been identified- enabling better transport, and providing/improving information-communication technology (ICT) services. For example, the Regional Development Plan of the North Primorska (Goriška development) Region 2014-2020 (2015), recognises the establishment of the sustainable transport network (intermodal road-railway logistic centre Vrtojba) as one of the key development measures. Whilst, the ICT services are believed to contribute to the “sustainability” of the development (Regional Development Plan of the North Primorska (Goriška development) Region 2014-2020, 2015).

Furthermore, the regional development documents also regulate and present the basis (e.g. specify priority measures) for the use of the funds (national, and EU) intended for the development of rural areas. For example, in the frame of the agricultural structural policy, the Slovenian government provides national aid for small and medium sized enterprises (SMEs), intended to be used to finish the partitioning procedures of the agricultural land, and to support agricultural expert events, and integration of farmers and other interested parties in different unions and associations (Decree on Measures for Agricultural Structures Policy and Rural Development Policy, 2015). This would boost the marketing and sales of agricultural produces, provide the infrastructure and knowledge to facilitate farming, enable income, and encourage people to stay in rural areas (Decree on Measures for Agricultural Structures Policy and Rural Development Policy, 2015). The Rural Development Programme for Slovenia (RDP; 2014) outlines Slovenia’s priorities for using the European funding available for the development of rural areas for the 7-year period 2014-2020. Among others, the RDP (2014) states a measure named “the SGI and the renewal of villages (measure M07)”, however, when inspected in detail the measure only focuses on the provision of broadband in rural areas. The RDP (2014) also sets the LEADER programs as one of the measures to boost the local development and ensure social integration and equality.

Policies and legal frameworks

SGI	Type of document	Name
Regional development	Legislation	<u>Promotion of Balanced Regional Development Act</u>

Regional development	Legislation	<u>Decree on measures for agricultural structures policy and rural development policy</u>
Regional development	Legislation	<u>Decree on the implementation of community-led local development in the programming period 2014-2020</u>
Regional development	Legislation	<u>Decree on the measures of Axis 1, 3 and 4 of the Slovenian Rural Development Programme 2007–2013 in the years 2011-2013</u>
Regional development	Programme	<u>Rural Development Programme for the Republic of Slovenia 2014-2020</u>
Regional development	Programme	<u>Regional Development Programme of the North Primorska (Goriška development Region)</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	Environment and Spatial Planning
	Local level	Municipalities	The municipal spatial planning.
Non-institutional actors	/	/	/

Basic goods

The basic goods sector, in terms of the postal services provision is managed at the national level by the Ministry of economic development and technology and the Postal and Electronic Communications Agency of the Republic of Slovenia. The provision of food, clothes and other basic goods is entirely dependent on the market. However, The Agency of the RS for the Commodity Reserves oversees the compulsory stocks of food and non-food products, and strategic raw materials (The Agency of the Republic of Slovenia for the Commodity Reserves, 2006).

The basic goods supply in terms of shops (groceries, clothes, specialised shops, etc.) in the remote regions is entirely market dependent. There are no strategic/policy measures (e.g. subsidies or other incentives) to balance out the deficiency or retain the (small) shops and other services in these areas.

Policies and legal frameworks

SGI	Type of document	Name
Basic goods	Legislation	<u>Trade Act</u>
Basic goods	Legislation	<u>Postal Services Act</u>
Basic goods	Legislation	<u>General terms for the provision of a universal postal service</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	Ministry of Economic Development and Technology and the Agency for Communication Networks and Services (previously Postal and

			Electronic Communications Agency of the Republic of Slovenia). The Agency of the Republic of Slovenia for the Commodity Reserves oversees the compulsory stocks of food and non-food products, and strategic raw materials.
	Local level	Municipalities	
Non-institutional actors	/	/	/ The provision of food, clothes and other basic goods is entirely dependent on the market.

Transport

The Ministry of infrastructure is responsible for the transport sector. Public transport is a domain of the Department for sustainable mobility and transport policy (Ministry of Infrastructure, 2017). The bus public transport is mainly assured by concessioners (private companies that provide the services).

In addition to the regulatory content, the transport legislation encourages the competition within the sector, by deregulating some transport subsystems and selling of the state assets to private companies, to assure better quality services (Resolution on the Transport Policy of the Republic of Slovenia- Intermodality - Time for Synergy, 2006). With the same purpose, a uniform travel card integrating several different transport services (train, intercity bus, city bus) (Road Transport Act, 2006).

Policies and legal frameworks

SGI	Type of document	Name
Transport	Legislation	<u>Railway Transport Act</u>
Transport	Legislation	<u>Road Transport Act</u>
Transport	Legislation	<u>Regulation on a mode of implementation of economic public service on passenger public line transport in inner road transport and about the concession of this public service</u>
Transport	Policy	<u>Resolution on the Transport Policy of the Republic of Slovenia (intermodality - time for synergy)</u>
Transport	Strategy	<u>Transport Development Strategy in the Republic of Slovenia</u>
Transport	Guideline	<u>Sustainable mobility for successful future, guidelines for the preparation of an integrated transport strategy</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	The Ministry of infrastructure. Public transport is a domain of the Department for Sustainable Mobility and Transport Policy (Ministry of Infrastructure, 2017).

	Local level	Municipalities	
Non-institutional actors	Private companies	/	The bus public transport is mainly assured by concessioners.

Telecommunication

Telecommunication services are provided and managed at the national level by the Ministry of education, science and sport- Directorate for the Information Society⁵, Ministry of Culture (media field), and the Agency for Communication Networks and Services (Ministry of education, science and sport, 2017, Ministry of culture, 2017, Agency for Communication Networks and Services; AKOS, 2014).

For the better quality of the SGI provision, the telecommunication strategies encourage competition, and above all the other sectors introduce the integration of various sectors, as well as services. According to the Digital Slovenia 2020 - Information Society Development Strategy to 2020 (2016), the ICT sector is going to be connected with the education, entrepreneurship, health, social, and other sectors, through the new e-services (e-education, e-health, e-government, etc.), and the ways of the functioning of digital society.

The national telecommunication policies predict the transition to the information society and the improvement of the SGIs' accessibility through the ICT services (National Program for the development of Telecommunication, 2000, Digital Slovenia 2020- Information Society Development Strategy to 2020, 2016). The ICT sector is going to be connected with education, entrepreneurship, health, social services, and other through the new e-services (e-education, e-health, e-government, etc.), and the ways of functioning of the digital society.

As the national budget funds are expected to be limited. The Digital Slovenia 2020 Strategy (2016) suggest the resources from the European Structural funds should be assured for the financing of the strategy's measures (e.g. identification and elimination of the white spots, broadband access provision to all the households- 96% with a speed of 100Mb/s and the rest 30Mb/s). The allocation of public funds for the broadband construction in the so called white areas ("areas which lack the required quality of broadband infrastructure and which also lack commercial interest in the deployment thereof") is essential (Next Generation Broadband Development Plan, 2016).

Policies and legal frameworks

SGI	Type of document	Name
Telecommunication	Legislation	<u>Telecommunications Act</u>
Telecommunication	Legislation	<u>Electronic Communications Act</u>
Telecommunication	Legislation	<u>Mass Media Act</u>
Telecommunication	Legislation	<u>Digital Broadcasting Act</u>
Telecommunication	Programme	<u>National Programme for the Development of Telecommunication</u>
Telecommunication	Strategy	<u>Digital Slovenia 2020 - Information Society Development Strategy to 2020</u>
Telecommunication	Strategy	<u>Cyber safety Strategy</u>

⁵ The Directorate for the Information Society is about to become a part of the Ministry of public affairs (Ministry of Education, Science and Sport, 2017).
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Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	The Ministry of Education, Science and Sport- Directorate for the Information Society ⁶ , Ministry of Culture (media field), and the Agency for Communication Networks and Services (Ministry of Education, Science and Sport, 2017, Ministry of Culture, 2017, Agency for Communication Networks and Services; AKOS, 2014).
	Local level	Municipalities	
Non-institutional actors	Private companies	/	The bus public transport is mainly assured by concessioners.

Health Care

Health care is organised through the public health institutes or private providers with concession. The liable body in general is the Ministry of health, although, municipalities are responsible to ensure the provision of the primary health care services, and also award the concessions at the local level (Ministry of Finance, 2015). The concessions for the health services organised for broader areas and at the state level (e.g. hospitals) are awarded by the ministry (Ministry of Finance, 2015).

Health care is a public service provided through the public health service network. This network also includes, on an equal basis, other institutions, private physicians and other private service providers on the basis of concessions. Service is organised on primary, secondary and tertiary level. Medical practice at the primary is organised on the local level and includes basic medical practice and pharmaceutical activity, at the secondary level the practice is in specialised outpatients' clinics and hospitals, and at the tertiary level the practice is performed by clinics, their institutes or departments and other authorised health-care institutions.

Slovenian health care system is mainly financed by the compulsory Health Insurance scheme (Health Insurance Institute of Slovenia - HIIS) which covers the whole population, either on the basis of employment and self-employment or residence (insured persons and their family members). The compulsory insurance does not, however, ensure coverage of all costs that arise in treatment. Thus it is supplemented by the voluntary health insurance, known as Complementary (or supplementary) Health Insurance and out-of-pocket expenditure. Majority of population is included in this Supplementary health insurance that acts as a private prepayment system that allows all insured persons to avoid a large part of direct payments from the pocket. Breakdown of health care funding in 2014 shows that approximately 71% came from public sources, including a 68% social security (ie. HIIS) and 3% from national budget, 15% from supplementary health insurance and 13% as direct payments from the pocket (Thomas *et al.*, 2015 cited by SURS 2000-2013).

⁶ The Directorate for the Information Society is about to become a part of the Ministry of public affairs (Ministry of Education, Science and Sport, 2017).
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It should be noted that a major health reform has been underway. Five main laws are to be significantly changed, among them also the analysed Health service act. Within this act major changes are foreseen in the field of concession granting and permits in the field of private health permits. Important changes are envisioned also within the Health Care and Health Insurance Act and Patient Rights Act. All anticipated changes of the legislation made questionable the rational of analysing in depth the existing documents. One of the central goals laid down in the strategic national document E-Health 2010: The Strategy for Implementing Information Technology in the Slovenian Healthcare System 2005-2010 (2005) is remote home care. The document follows the EU policies outlined action plan entitled "Making Healthcare Better for European Citizens: An Action Plan for a European E-Health Area." The integration with services provided by other sectors is mentioned among strategic goals of improved informing through the use of personal electronic medical records.

Policies and legal frameworks

SGI	Type of document	Name
Health	Legislation	<u>Health Services Act</u>
Health	Plan	<u>Resolution on National Health Care Plan 2016 - 2025</u>
Health	Strategy	<u>E-Health 2010: The Strategy for Implementing Information Technology in the Slovenian Healthcare System 2005-2010</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	The Ministry of health.
	Local level	Municipalities	Municipalities are responsible to ensure the provision of the primary health care services, and also award the concessions at the local level (Ministry of Finance, 2015).
Non-institutional actors	Private companies	/	Private provides with concessions.

Social Care

Social services are organised in different ways, depending on the service. The state provides a network of public services for social prevention, first social support, personal assistance, family assistance, and institutional care, while the municipality provides a network of public services of the home-help. The services of social prevention, first social assistance, personal assistance and some others, as well as the investments in social welfare institutions and development of programs, are covered from national budget, while municipalities finance the services of home-help (partially), family assistant, and development and supplementary programs important for the municipality and cooperation with non-governmental organizations etc.

The Social Security Act (2007) is limited to performance of institutional care by public health institutes if they fulfil certain conditions. Other than that a cooperation with other ministries (of education, of health, of internal affairs) is mentioned in the Act only in two cases: when eligibility for financial support to an individual is examined and in the case of data exchange. National Social Protection Program for the Period 2013-2020 (2013) relates to the

development of the social security system in that period. It recognizes the complexity and the need for integration of all policies affecting social situation of individuals and families (not just social policy, but also of education, employment, retirement, housing and health policy, and the like. Thus, different policies should be coordinated at all stages – from the planning to implementation level. It calls for strengthening of the community care approach. The Strategy of Care for the Elderly till 2010 (2006) is another document, with a strong emphasis for the need for integration of services, which will serve as an input for new strategy on Long term care see “trends”).

The Resolution on National Program for the Youth 2013 – 2022 (2013) does not tackle any particular SGI but it rather proposes defines objectives and measures to enable equal access to services crucial for the youth. The basic objective of the national program is to ensure a harmonized implementation of the uniform and transparently set system of interdepartmental priorities and actions to improve the situation and offer solutions to the problems of key points regarding youth, as identified in background analysis and in the public debate. It defines the scope, objectives and priorities for the following six areas: education; employment and entrepreneurship; housing; health and well-being; young people and society; and culture, creativity, heritage and media. It also defines a method for monitoring of its implementations. A characteristic of the national program for youth is that it is a horizontal program - combining actions in areas under the jurisdiction of different ministries in order to create a new quality, to ensure their consistency and visibility. National youth program covers a period of 9 years and is accompanied by Implementation Plans (adopted by the Government of the Republic of Slovenia), which provide measures for stated goals and directives within areas.

Policies and legal frameworks

SGI	Type of document	Name
Social care	Legislation	<u>Social Security Act</u>
Social care	Programme	<u>Resolution on the national social assistance programme 2013-2020</u>
Social care	Strategy	<u>The strategy of care for the elderly till 2010 – Solidarity, good intergenerational relations and quality ageing of the population</u>
Social care	Programme	<u>Resolution on National Programme for Youth 2013-2022</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	The state provides a network of public services for social prevention, first social support, personal assistance, family assistance, and institutional care.
	Local level	Municipalities	Provide a network of public services of the home-help. finance the services of home-help (partially), family assistant, and development and supplementary programs, important for the municipality and cooperation with non-governmental organizations.

Non-institutional actors		NGO	Cooperate with municipalities.
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Education

Regarding the education, pre-school education is provided as a payable service (often subsidised by municipalities) by public and private nurseries. The network of pre-school institutions has to be organised by municipalities (Ministry of Finance, 2015). Primary education is mandatory and free, and is provided by the state. The responsible body for the education sector is the Ministry of education, science and sport. Administration responsibilities are distributed among the national authorities, local authorities, and schools. Local authorities are responsible for setting up pre-school institutions and basic schools. They take part in their administration and co-finance their operation and the salaries of employees (European Agency, 2017).

The Pre-School Institutions Act (2005) regulates pre-school education, carried out by public and private kindergartens. Elementary School Act (1996) sets rules for elementary school education implemented by public and private schools or as home schooling, while Higher Education Act (1993) regulates statutory issues of higher education institutions (i.e.: universities, faculties, art academies and professional colleges), the conditions for the pursuit of higher education activities, defines public service in higher education and regulates the manner of financing. The act also contains provisions regarding the content, preparation and implementation of the National program of higher education. It should be pointed out that Higher Education Act has been a subject of numerous amendments and changes. Further amendments, bringing significant changes are in preparation / legal procedure. Organization and financing of education at all levels, from pre-school to higher education is regulated by Organization and Financing of Education Act⁷ (1996). One of the objectives of this act is clearly referring to “ensuring equal opportunities for education in territories with special development problems”. In Slovenia so called “territories with special development problems”, which are as a rule also remote, are a subject of a special decree. Decree on criteria for setting up a public network of elementary schools and educational institutions (1998) states the designing of a public network of primary schools must provide all children the opportunity of elementary education. However, none of the stated documents is particularly orientated towards integration of services. Slightly more focussed on the need for integration is a Resolution on National Program of Higher Education (2011). It is an integrated national strategy and thus includes the necessary activity of all higher education stakeholders and other players. It mentions within several measures the need for better co-operation between higher education institutions and need to link up with research institutes economic and public sectors, but this co-operation is foreseen predominantly in terms of operational tasks and not as integrated policies and measures. With the goal of improving accessibility to tertiary education, development of programs of distance education and greater use of ICT in teaching and learning is planned.

Policies and legal frameworks

SGI	Type of document	Name
Education	Legislation	<u>Pre-School Institutions Act</u>

⁷ Further documents on education include Gymnasiums Act, Vocational Education Act and some others regulating detailed issues and without particular reference to SGI.

Education	Legislation	<u>Elementary School Act</u>
Education	Legislation	<u>Higher Education Act</u>
Education	Legislation	<u>Organization and Financing of Education Act</u>
Education	Legislation	<u>Decree on criteria for setting up a public network of elementary schools, a public network of elementary schools and educational institutions for children and youth with special needs, and a public network of music schools</u>
Education	Programme	<u>Resolution on National programme of higher education</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	The State	The responsible body for the education sector is the Ministry of Education, Science and Sport.
	Local level	Municipalities	Set up the pre-school institutions and elementary schools.
Non-institutional actors	/	/	/

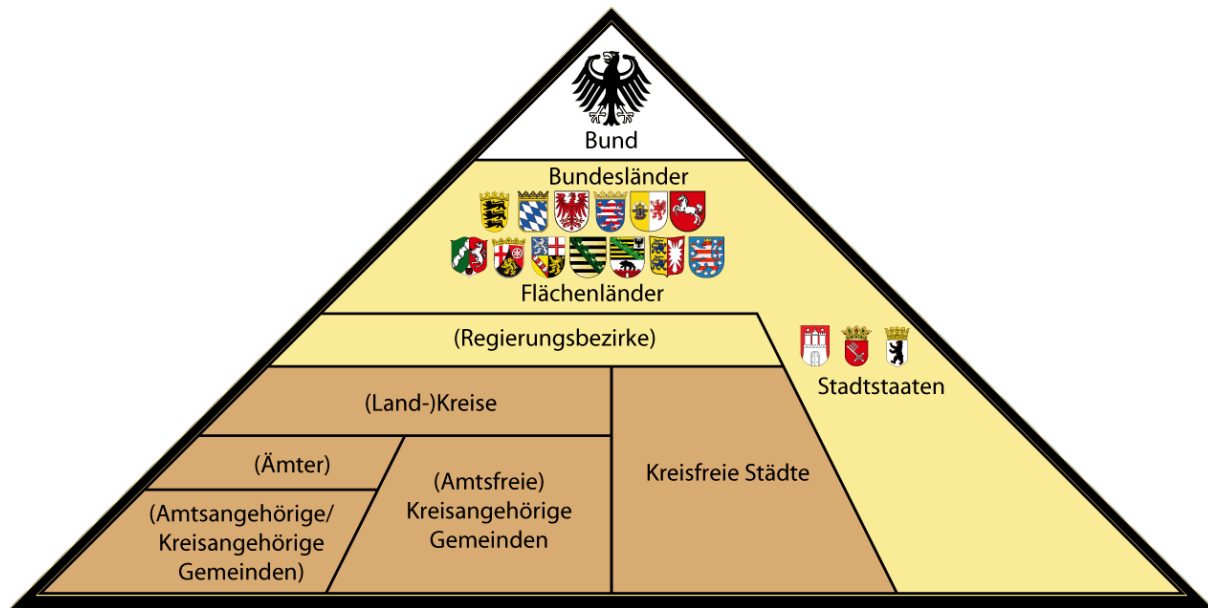
Germany

General presentation

Germany is a federal, parliamentary, representative democratic republic. The German political system operates under a framework laid out in the 1949 constitutional document known as the *Grundgesetz* (Basic Law). Amendments generally require a two-thirds majority of both chambers of parliament; the fundamental principles of the constitution, as expressed in the articles guaranteeing human dignity, the separation of powers, the federal structure, and the rule of law are valid in perpetuity.

Germany comprises sixteen federal states which are collectively referred to as Bundesländer. Each state has its own state constitution and is largely autonomous in regard to its internal organisation. Two of the states are city-states consisting of just one city: Berlin and Hamburg. T

Because of the differences in size and population the subdivisions of the states vary. For regional administrative purposes five states, namely Baden-Württemberg, Bavaria, Hessen, North Rhine-Westphalia and Saxony, consist of a total of 22 Government Districts (Regierungsbezirke). As of 2017 Germany is divided into 401 districts (Kreise) at a municipal level; these consist of 294 rural districts and 107 urban districts.



The Basic Law (Grundgesetz) stipulates the principle of “gleichwertige Lebensbedingungen” (equal living conditions) which is seen as fundamental to the common understanding of SGI in Germany. The regulations on national level mainly retake the EU-Regulations. It is mostly up to the Bundesländer and lower levels to apply this principle in the sectoral fields on their territory. The Federal level is undertaking many efforts e.g. through the support to innovative actions in regional development and spatial planning to encourage the creation of “gleichwertige Lebensbedingungen”. On very interesting example which can be cited here is the Modellvorhaben Raumordnung “Integrierte Daseinsvorsorge” which was lead by the Federal Government and helped to provide an integrated approach to SGI in various Landkreisen (Districts).

Policies and legal frameworks

SGI	Type of document	Name
General	Legislation	<u>Grundgesetz</u>

Mapping of actors

Category of actors	Institutional level	Authority	Main Powers
Institutional actors	National level	Federal Government	Basic principles as laid down in the Grundgesetz
	Regional level	Bundesländer	Implementation of federal law. Many own competencies.
	Local level	Municipalities	Implementation of federal and Länder-law Proper powers (according to Länder-law).

Regional development

As concerns spatial planning, Germany has been attempting regional planning since the early 20th century to address urbanization, including centralized spatial planning under the Nazi regime. A spatial planning system was put in place after the War in the 1960s, but the amendment of Basic Law for the Federal Republic of Germany in 2006 brought about exclusion of federal framework legislation, the system which in its areas spatial plan was included and that requires the states to align with the framework set out by the federal government when they work out details. Thus spatial plan was replaced into the areas of concurrent legislation, the system that enables the states to exercise their power in case the federal government does not exercise the power of legislation. In fact, the federal government is going no further than to set forth overall guideline while the states manage individual spatial plan based on the Spatial Planning Act.

As regards regional policies, the improvement of regional economic structures is positioned by the Constitution as a joint operation wherein the federal government is required to collaborate with the state government and bear half of the costs. Emphasis has been placed on providing assistance to the former East German regions after the unification of East and West Germany.

At the **federal level**, in 1965 the Federal Spatial Planning Act was enacted, setting out an institutional framework of procedures of spatial planning. In 1967 the Ministerial Conference for Regional Planning (MKRO: Ministerkonferenz für Raumordnung) was established, for the purpose of inter-governmental coordination on planning issues as well as for the establishment of basic concepts regarding spatial planning. The significant revision of the Federal Spatial Planning Act in 2008 enabled the federal government to establish spatial plan, however such planning has only been carried out for EEZ.

The "Spatial Development Concept and Strategy in Germany (2006)," the latest policy document concerning federal spatial planning, takes sustainability, European dimension and the like into consideration, and is placing emphasis on three areas: i) achieving growth and innovation, ii) ensuring public services, iii) conserving resources, and preserving and nurturing cultural landscape.

In accordance with Articles 8 through 16 of the Federal Spatial Planning Act, state governments individually establish Wide-area Plan for State Area (state-wide area plan) for the whole state and Wide-area Plans for Partial Areas of State (regional plan) for some particular part of the state. Regional plans have now been established in 104 regions throughout the whole federation.

While spatial plans are being implemented in alignment with other related plans, there also are regions that are utilizing the F Plan as a comprehensive plan.

Policies and legal frameworks

SGI	Type of document	Name
Regional development	Law	Law on spatial development

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	coherence of the territorial development, a rational use of the spatial territory, promotion, education & coaching, coordination
	Regional level	Bundesländer	spatial strategies, regulation of the use of the space, LAG's, regional managements, ...

	Local level	Municipalities	spatial strategies and plans.
Non-institutional actors			

Competences

The Bundesländer are responsible of spatial development, municipalities are responsible to implement the general principles laid down in the federal and Länder laws and plans.

Basic goods

Basic goods are not regulated at any level and are purely a matter of private investments.

Policies and legal frameworks

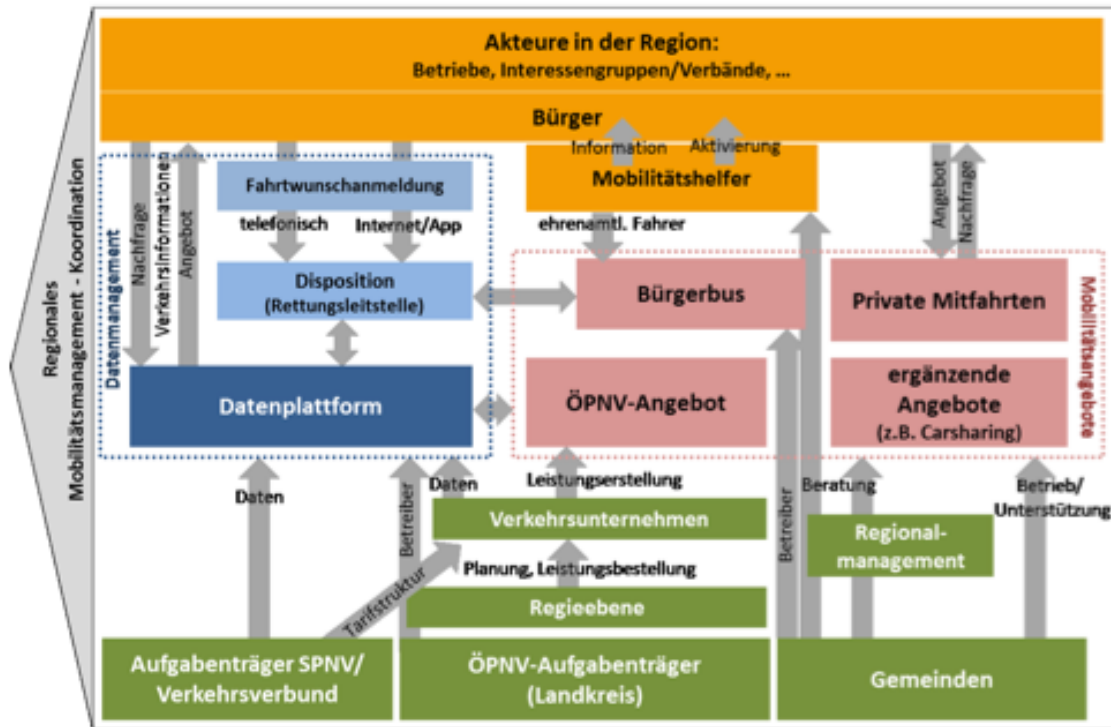
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Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	/
	Regional level	Cantons	/
	Local level	Municipalities	/
Non-institutional actors	Service providers		

Transport

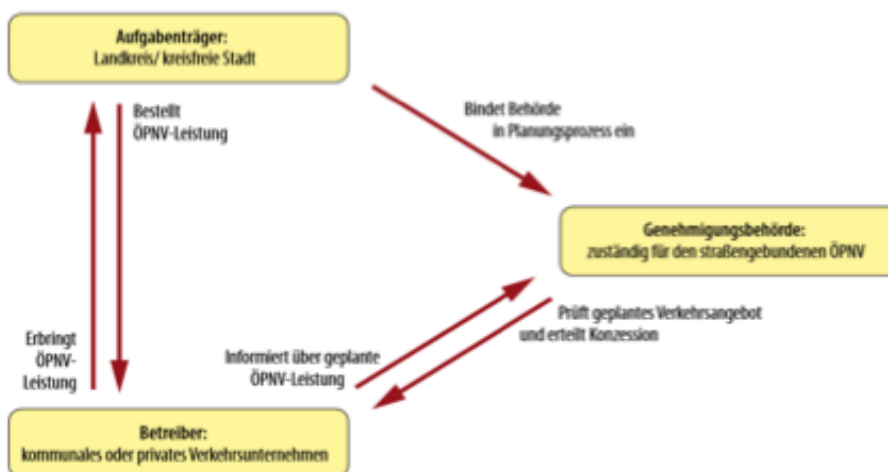
The regulations on public transport are on the basis of the respective EU-regulations. No SGI-provision is foreseen at federal level. The federal level is mainly responsible for the long distances passenger transport. Infrastructure and transport are legally separated into independent companies. As far as SGI is concerned, the major player are the Bundesländer. They are competent for regional transport (Grundgesetz Art. 70), whilst the municipalities care for local transport, often in a coordinated way with Verkehrsverbänden. At local level, many public and semi-public initiatives try to complement the transport offer. The complexity of the system and the multitude of actors can be illustrated by the graphic below.



Source: BMVI (Hrsg.): Integrierte Mobilitätskonzepte zur Einbindung unterschiedlicher Mobilitätsformen in ländlichen Räumen. BMVI-Online-Publikation 04/2016.

According to the law on passenger transport, the municipalities are obliged to establish Nahverkehrspläne (plans for local transport). They can be compared to spatial plans. Some Bundesländer have furthermore established Landesverkehrspläne. A peculiarity is Art. 2, paragr. 7 of the federal law on passenger transport, which provides an article for testing new approaches (Experimentierartikel). Based on this article, the competent authority can authorise the practical testing of new transport offers or transport means during a maximum of 4 years.

The relationship between the public authorities and service providers can be illustrated in the following graph:



Source: BMVI (Hrsg.): Integrierte Mobilitätskonzepte zur Einbindung unterschiedlicher Mobilitätsformen in ländlichen Räumen. BMVI-Online-Publikation 04/2016.

Policies and legal frameworks

SGI	Type of document	Name
Transport	Legislation	<p>Personenbeförderungsgesetz (PBefG) in der Fassung der Bekanntmachung vom 8. August 1990 (BGBl. I S. 1690), geändert durch Artikel 2 Absatz 147 des Gesetzes vom 7. August 2013</p> <p>Allgemeines Eisenbahngesetz (AEG) vom 27. Dezember 1993 (BGBl. I S. 2378, 2396; 1994 I S. 2439), zuletzt geändert durch Artikel 4 Absatz 120 des Gesetzes vom 7. August 2013</p> <p>Regionalisierungsgesetz (RegG) vom 27. Dezember 1993 (BGBl. I S. 2378, 2395), zuletzt geändert durch Artikel 4 des Gesetzes vom 14. Dezember 2012</p> <p>Gemeindeverkehrsfinanzierungsgesetz (GVFG) in der Fassung der Bekanntmachung vom 28. Januar 1988 (BGBl. I S. 100), zuletzt geändert durch Artikel 3 des Gesetzes vom 5. April 2011</p> <p>Entflechtungsgesetz (EntfelchtG) vom 5. September 2006 (BGBl. I S. 2098, 2102), geändert durch Artikel 4 des Gesetzes vom 15. Juli 2013</p>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	General regulation of transport.
	Regional level	Bundesländer	Financing of regional public transport.
	Local level	Municipalities	Ordering and paying for local mobility services.
Non-institutional actors	Company	DB	Main player of railways.
	Company	Regionalbahnen	Service providers at regional / local level
	Company	Various offers at local level	
	Company	Flixbus etc.	Long haul passenger transport on road, not subsidized.

Telecommunication

In the field of telecommunication, Germany is applying the EU-Regulations. Which means that the rollout of new infrastructures in densely populated areas with a high market potential
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is driven by the market while public intervention is possible according to the state aid rules in areas with no or very scarce competition. Major player is the Deutsche Telecom which is building FTTH- and VDSL- networks mainly in urban areas. Also cable-TV networks are mainly developed in urban areas. The national digital agenda of 2014 aims at delivering a broadband-access (more than 50 Mbit/s) to all households by end. This shall be achieved by a mix of technologies, including mobile access. The broad band coverage with more than 30 Mbit/s achieved 81,4% of the total population in 2015. But it was only at 36% in rural areas. The mobile network has on the other side a rather good performance, with 4G attaining 82,5% of the rural population in 2015. The Federal Government has made available 4'000 million Euros in two steps (2015 and 2016) to support investments in underdeveloped rural areas. The participation of the Federal Government is max. 50%, the Länder can also contribute to a maximum Co-Financing-rate of 90%. All Bundesländer have adopted their own digital agenda / regional broad band strategy. They focus partially on different technologies than the Federal Government. This lack of coherence hampers the rollout of new technologies over the whole territory. In November 2016 the DigitNetzG entered into force. This law obliges the owners of other network infrastructures like electricity, water supply etc to grant access for telecom companies to their infrastructures. This in order to reduce building costs, which form the major part of investment costs for the Fibre-optics roll-out. In November 2016, the BMVI presented the Gigabit-Initiative. This foresees the access for the whole population with more than 1 GB by 2025. The BMWi complemented this by promising to provide 10'000 million Euros for investments in the necessary new infrastructures. A round table shall bring together the different players at national and regional level as well as the service providers.

Policies and legal frameworks

SGI	Type of document	Name
Telecommunication	Legislation	<u>Telecommunications Act</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	Regulation at national level based on EU-Regulation.
	Regional level	Bundesländer	Own strategies.
	Local level	Municipalities	Municipalities are cofinancing infrastructures.
Non-institutional actors	Company	Deutsche Telecom	Main player for FTTx.
	Company	Cable-TV providers	
	Company	(...)	
	Company	(...)	

Competences

The Federal level is the competent authority to regulate the telecommunication policy. The Bundesländer are very active in adopting own strategies for broad-band access. The municipalities in rural areas are cofinancing infrastructures. The service providers play a crucial role in the market driven areas.

Health Care

Public services are provided by contract-doctors “Vertragsärzte”. They need a contract with an association of insurers to exercise. These associations are at Länder-level. Hospitals are planned and financed by the Bundesländer. There’s a strict separation between stationary services in hospitals and ambulant services by contract doctors.

Policies and legal frameworks

SGI	Type of document	Name
Health	Legislation	<u>Sozialgesetzbuch</u>

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	-
	Regional level	Bundesländer	Regulation of the number of hospitals and doctors.
	Local level	Municipalities	
Non-institutional actors	Company	insurance	

Social Care

Social services are a matter of the Bundesländer and the municipalities.

Policies and legal frameworks

SGI	Type of document	Name

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	/
	Regional level	Bundesländer	Shared delivery of social care
	Local level	Municipalities	Shared delivery of social care
Non-institutional actors	Service providers		

Competences

The delivery of social care services is shared between the Bundesländer and the municipalities.

Education

Education is in the competence of all levels according to the educational level. The federal level is competent for the regulation of the tertiary education. The Bundesländer are competent for the cantonal universities and universities of applied sciences. The Bundesländer also regulate the primary and secondary education and pay for them together with the municipalities. Bundesländer usually define a minimum number of pupils to keep a class / school running.

Policies and legal frameworks

SGI	Type of document	Name
Education		
Education	/	/

Mapping of actors

Sector	Level of decision making	Authority	Main tasks
Institutional actors	National level	Federal Government	
	Regional level	Bundesländer	Regulate the primary and secondary education
	Local level	Municipalities	Child center and primary school
Non-institutional actors	Universities, Schools		

2.2. Connectivity and Digitalisation

This section will be dedicated to the examination of the digitalization policies that can be found in the Alpine region: a brief analysis of the legal framework of each EUSALP State will be recalled, stressing the attention on the most important rules in the field and drafting a comparative analysis of state-of-the-art the digital situation in the Alpine countries. An illustration of the kind of actors concerned by these policies will be outlined, followed by an overview of good practices of the Alpine arch.

It needs to be underlined that, due to the extent of the legislation in the arena, this research will consider only the most relevant regulation concerning the field of digitalisation and connectivity, selected by means of the EU Digital scoreboard tool.⁸

The topic of digitalization and connectivity is nowadays central and, necessarily, it crosses all borders, in particular in Europe: this is why, beside a national regulation, there is usually a supranational, European guideline delineating the standards of a particular subject, among others the 2010 EU Digital Agenda. Additionally, another international instrument is present in the Alpine territory: the Alpine Convention, the first international treaty for the protection of a mountain range, has likewise promoted an Alpine Digital Agenda in 2014.

The attention should therefore be focused on three levels of regulation characterized by various actors with different competences and responsibilities: the international level (a); the European level (b); the national, and sometimes even subnational, level (c).

International level

The **Alpine Convention** is an international treaty between the Alpine Countries (Austria, France, Germany, Italy, Liechtenstein, Monaco, Slovenia and Switzerland) and the EU, signed for the sustainable development and protection of the Alps. The States that are part of the Alpine Convention are the same participating in EUSALP (except for the Principality of Monaco) but the extension of the regions involved varies considerably. The Alpine Convention covers a territory of 200000 km² inhabited by 14 million people: the difference between these numbers and the EUSALP ones – 450000 km² et 80 million people – is therefore remarkable. Noteworthy is, as well, the centrality of the local entities in the implementation of EUSALP, a direct space for operation that was lacking in the Alpine Convention and its State-based model.

The Alpine Convention got involved in the development of the EUSALP since the beginning. A Macro-regional Strategy Working Group, within the Alpine Convention, was set up already in 2011 with the aim of contributing to the process. By now, the Convention contributes substantially to the design and implementation of EUSALP by actively making use of its observer function in the General Assembly and in the Executive Board, being represented in the EUSALP process jointly through the Presidency and the Permanent Secretariat working in close cooperation with the Permanent Committee, the **Macro-regional strategy Working Group** and other Working Groups and Platforms. Moreover, regarding its involvement on the implementation level, the Alpine Convention was assigned the co-leadership (together with Land Carinthia) of Action Group 6. Moreover, Action Group 8 is co-led by the President of Natural Hazards Platform - PLANALP of the Alpine Convention and members of the Transport Working Group and of the Ecological Network Platform of the Alpine Convention are actively involved in the work of the Action Groups 4 and 7, respectively. Furthermore, the Permanent Secretariat of the Alpine Convention is an official observer of Action Group 4.

The Convention, in force since 1995, is a binding framework setting out the basic principles of all the activities of the Alpine Convention and containing general measures for the sustainable development of the Alpine region. Specific measures applying the principles laid

⁸ See <https://ec.europa.eu/digital-single-market/en/scoreboard/>
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down in the framework Convention are then contained in Protocols, also binding, where concrete steps of implementation are detailed. In the context of the Convention, Ministerial declarations, with political power but no binding effect, were also adopted, as well as final documents issued by Working Groups, creating the soft law part of the Alpine Convention regulatory production. Even though this material has no binding force, it still influences considerably the policies of each participant State.

One of these documents is the **Alpine Digital Agenda**,⁹ a report produced by the Italian Presidency of the Alpine Convention, welcomed in November 2014 by the XIIIth Alpine Conference of Torino.¹⁰ The goal of the 2013 Italian Presidency of the Alpine Convention was to organise a Presidency Task Force of experts for working together on an 'Alpine Digital Agenda' to identify priorities for digitalizing mountain areas, structurally characterized by a situation of geographical marginality and objective difficulties in their access to digital services. The document was already intended to be a contribution to EUSALP, being a first step for Member States to plan joint actions to respond to the expectations of the people living in the territory and to better address the local and global challenges, starting from an objective fact i.e. the need to overcome the problems of a territory with naturally difficult access, showing how a digitalization process in mountain areas could help to ensure access to essential services for the population (e.g. digital procedures in public administration, telemedicine, online training and education). The target of this study was, thus, very similar to the topics dealt with by AG5.

The aim of the Alpine Digital Agenda was to "define the main obstacles undermining the efforts to take advantage of ICT and to indicate a possible unified strategy across the Alps to overcome them, identifying several detailed action areas and a guide to good practice".¹¹ The focus of the Alpine Agenda was concentrated on two aspects, competitiveness and social inclusion. In the intention of the Alpine Convention report, the first goal need to be pursued by developing Broadband – against difficulties due to the geo-morphological conformation of the territory and the low economic interest for provider – and associated infrastructures and encouraging the development of innovative Start-ups related to electronic commerce of local products and tourist accommodation. The second area – social inclusion – should be based on the implementation of measures to digitize schools, health and public administration.¹²

In particular, as for the Public Administration, the main issues affecting the digitalisation of the PA are the disparity in services between different administration, the unavailability of open data and the difficulties in getting to an administrative centre. The challenges detected by the Alpine Digital Agenda are roughly the same ones observed by AG5. The Alpine Digital Agenda, conceived as a starting basis for shared, planned actions divided among all the Alpine administrations concerned, should thus be taken into account by EUSALP.

EU law

The EU has adopted many policies relevant for AG5 in the field of digitalization, connectivity and access to SGIs. The first instrument to take into consideration is the **EUROPE 2020 communication, a strategy for smart, sustainable and inclusive growth**.¹³ This 10-year strategy proposed by the European Commission in March 2010 to boost the economy of the European Union was aimed at a "smart, sustainable, inclusive growth", with greater coordination of national and European policies. One of the flagships initiatives of Europe 2020 was the setting up of a digital agenda for Europe to speed up the roll-out of high-speed internet and reap the benefits of a Digital Single Market for households and firms. To inverse

⁹ MEDAGLIA, C.M., PETITTA, M. (eds), *Agenda digitale della Alpi /Alpine Digital Agenda*, Permanent Secretariat of the Alpine Convention 2014

¹⁰ Alpine Convention, Decision ACXIII/B1b

¹¹ *Agenda digitale della Alpi /Alpine Digital Agenda*, p. 19-20.

¹² Ibid.

¹³ COM (2010) 2020

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the trend of unbalanced growth in the Union, indeed, one of the first steps envisaged by the EU Commission was to develop uniform broadband internet access throughout the European territory.

Following the adoption of Europe 2020, the EU Commission approved the so-called **Digital Agenda for Europe**,¹⁴ which constitutes a framework for all EU members in the context of broadband internet. Launched in May 2010, the EU Digital Agenda was intended to improve Europe's economy by delivering sustainable economic and social benefits from a digital single market. The main aim of the Digital Agenda is to ensure in the EU 100% coverage by the next-generation broadband network, at a minimum speed of 30 Mbps, by 2020. The data of each annual digital agenda scoreboard however show that people in the EU often lack the high-speed broadband to satisfy their digital appetite, especially in rural areas.¹⁵ The looming digital skills gap is still a big problem, particularly in the Alps: that's why the Digital Agenda for Europe constitutes a landmark for all EUSALP participants, specifically for countries with remote rural regions in the mountains. Hence, to help spreading the high-speed broadband placement an EU directive was adopted in 2014 to reduce the cost of deploying high-speed electronic communications networks.¹⁶

Part of the Digital Agenda for Europe 2020, the **Digital Single Market**¹⁷, announced in 2015, covers digital marketing, E-commerce and telecommunication. The policy strives for a rapid removal of key differences between the online and offline worlds to break down barriers to cross-border online activity. This is particularly significant for the Alpine region, where big differences in digitalization remain between rural and urban areas: an equal degree of digitalization, in fact, generates a more inclusive society (e-government, e-health, e-transport, etc.), competitiveness (jobs and growth) and opportunities for other sectors (transport, energy). The main goals of the Digital Single Market in the field of provision of broadband are, therefore, 100% of high-speed broadband coverage of Next Generation Networks (NGN) - 30 Mbps or more - and the use of NGN - 100 Mbps or more - for 50% by 2020.

In the same field, the EU Commission adopted the **Connectivity for a Competitive Digital Single Market – Towards a European Gigabit Society**¹⁸ strategy in September 2016, addressing the availability and take-up of very high capacity networks, which will enable the widespread use of new products, services and applications in the Digital Single Market. The strategic objective, set for EU members, is that all European households, rural or urban, will have access to Internet connectivity offering a downlink of at least 100 Mbps, upgradable to Gigabit speed (1 Gbps) by 2025.

As for the sector of digitalization leading to a more inclusive society, the **Directive on services in the internal market**¹⁹ was adopted in 2006, and implemented by all EU countries in 2009, to regulate the handling of cross-border services and realise the full potential of services markets in Europe by removing legal, administrative and bureaucratic barriers to trade and cross-border services. In particular, the Services Directive makes provision for the appointment of so-called single points of contact who carry out a one-stop-shop function for the handling of proceedings and formalities when a service is to be provided across borders. Art. 8 of the Directive also introduced a legal obligation to create eGovernment services in every EU State. In the same context, the 2003 **Directive on the re-use of public sector information**²⁰ (PSI directive) provided the common legal framework for an EU market for government-held data. The PSI directive is built around two key pillars of the internal market – transparency and fair competition – and encourages MSs to make as

¹⁴ COM (2010) 0245 final/2

¹⁵ EU DG Communication, *The EU explained: Digital agenda for Europe* (2014), p. 5

¹⁶ EU Directive 61/2014 “on measures to reduce the cost of deploying high-speed electronic communications networks”

¹⁷ SWD(2015)100 final

¹⁸ SWD(2016)300 final

¹⁹ Directive 2006/123/EC

²⁰ Directive 2003/98/EC, revised by Directive 2013/37/EU

much information available for re-use as possible, i.e. material held by public sector bodies in the Member States, at national, regional and local levels.

The expansion of e-government services was as well promoted with the adoption by the EU Commission of the **European Interoperability Framework** in 2010.²¹ This communication was aimed at developing more efficient connections across borders, between communities and between public services and authorities. Considering the Interoperability Framework, the Commission approved an **EU eGovernment Action Plan 2016-2020**²² to accelerate the digital transformation of government. The Action Plan gives specific guidance on how to set up interoperable digital public services, stressing the attention on the “once-only” principle for the collection of data/information. In line with the principles and priorities set out in the EU eGovernment Action Plan, **DG CONNECT** published a **guide on “eGovernment in local and regional administrations: guidance, tools and funding for implementation”**²³ with the objective of supporting local and regional level in implementing eGovernment, such as setting up a strategy, infrastructure, open data and open services, and helping finding EU funds for eGovernment. It also contains concrete recommendation for opening up data and open decision-making, tool, learning platforms and many useful links. Lately, in March 2017, a new **European Interoperability Framework (EIF)**²⁴ giving public administrations a contribution of 47 concrete recommendations on how to improve the governance of their interoperability activities, to ameliorate the quality of European public services and create an environment where public administrations can collaborate digitally.

The e-government subject matter received recently a highly political backing with the **Ministerial Declaration on eGovernment**, signed in Tallin the 6th October 2017 by all the European Union Member States and EFTA countries. The objective of this “eGovernment Declaration” is to ensure high quality, user-centric digital public services for citizens and seamless cross-border public services for businesses. The signatory countries also committed to progress in linking up their public eServices and implement the so-called eIDAS regulation as well as the once-only principle, to provide efficient and secure digital public services that will make citizens and businesses lives easier.

As for the binding documents on the subject of eGovernment, the supra-mentioned EU Regulation 910/2014 on electronic identification and trust services for electronic transactions in the internal market is the ‘toolset’ that will increase the trust of citizens and business to interact both with their administration and the private sphere. The **eIDAS Regulation** has two main objectives: the first, is to ensure that people and businesses can use their own national electronic identification schemes (eIDs) to access public services in other EU countries where eIDs are available; the other, is to create an European internal market for eTS – namely electronic signatures, electronic seals, time stamp, electronic delivery service and website authentication – by ensuring that they will work across borders and have the same legal status as traditional paper based processes. The use of trusted eIDs under the eIDAS regulation will make the implementation of the Once Only Principle feasible, by enhancing the protection of privacy. The next milestone of the eIDAS implementation will be on the 29th September 2018 when the recognition of notified eID will start applying.²⁵

Electronic identification, authentication and trust services as well as the reliance on “trusted identities” (i.e. notified eID under eIDAS) are a very good opportunity to enhance trust, accountability, transparency, privacy, and security in the digital world. The essentiality of the electronic identification is also assumed when there is the need of transferring sensitive information such as health data, which must be done complying with the highest standards for EU data protection and security. Access and exchange of health data is one of the health

²¹ COM(2010)744 final

²² COM(2016) 179 final

²³ European Commission, Directorate-General for Communication Networks, Content and Technology, *eGovernment in local and regional administrations, Guidance, tools and funding for implantation*, 2017

²⁴ COM(2017)134

²⁵ So far, Germany has completed the notification of its eID and Italy has pre-notified its private sector-led eID scheme called SPID. Other Member States are planning to follow soon.

priorities in the 2017 Digital Single Market mid-term review, which was accompanied by the **European Digital Progress Report**,²⁶ giving an in-depth assessment of how the EU and MSs are progressing in their digital development and identifying potential steps to help improve national performance in digital. A **concept paper on “Digitisation, employability and inclusiveness – the role of Europe”**²⁷ was also published investigating the impact of digitisation on the labour market. The topic of eHealth will be further elaborated on the upcoming DG CONNECT’s **Communication on digital transformation of health and care**.²⁸

The proposed regulation of the European Parliament and of the Council on establishing a single digital gateway to provide information, procedures, assistance and problem-solving services and amending Regulation (EU) No 1024/2012²⁹ (**draft SDG regulation**) is supposed to create a single online entry point to access in a safe, central and user-friendly manner high quality information as well as thirteen online administrative procedures and assistance services in case of problems. It will also apply the abovementioned once-only principle, so that important documents would only need to be submitted once and then will be available to be reused in other national procedures at the request of the user. This is already being piloted in **The Once Only Pilot project (TOOP)** with the main objective of exploring and demonstrating the once-only principle across borders, focusing on data from businesses. By doing this, TOOP wants to enable better exchange of business related data or documents with and between public administrations and reduce administrative burden for both businesses and public administrations.³⁰

Lately, the Commission adopted a Communication on **“Boosting growth and cohesion in EU border regions”**³¹ which highlights ways in which the EU and its Member States can reduce the complexity, length and costs of cross-border interaction and promote the pooling of services along internal borders, looking at what needs to be improved to ensure that border citizens can take full advantage of the opportunities offered on both sides of the border. Among the set of actions proposed by the Commission, there is one activity concerning eGovernment: “enabling cross-border public administration”. In fact, as recognized by the Communication, eGovernment and cross-border digital public services can be a solution to erase broader obstacles and enable cross-border data exchanges. A “Border Focal Point”, within the Commission and involving Commission experts in cross border issues, was also created to facilitate the implementation of these actions, with the aim of offering advice to national and regional authorities to tackle legal and administrative border obstacles.

National level/Subnational level

When exploring the regulation at the national level we need to bear in mind that among the EUSALP countries we will find federated states, unitary ones, autonomous regions with significant legislative competences and purely administrative ones. This section will therefore examine, country by country, the distribution of competences between central government and local entities, if they exist, for the connectivity field. A brief analysis of the current state of play of digitalization in the different countries will also be outlined. With the exception of Switzerland and Liechtenstein, it fundamental to recall that the abovementioned EU “framework” on digitalisation is relevant to all Member States.

²⁶ Europe's Digital Progress Report SWD(2017) 160

²⁷ European Commission, Directorate-General for Communication Networks, Content and Technology, *A concept paper on digitisation, employability and inclusiveness the role of Europe*, 2017

²⁸ Communication on Digital transformation of health and care in the context of the DSM – Roadmap - Ares(2017)3647743

²⁹ COM(2017)256

³⁰ See more at <http://www.toop.eu/info>

³¹ COM(2017) 534 final

Italy

According to the combined provisions of articles 9 and 117 of the Italian Constitution, the field of communication is managed by concurrent legislative competences of the State and the regions. Fundamental principles are laid down by national law while complying regional laws need to be harmonised with EU directives and national provisions.

A Strategy for next generation access network (***Strategia Nazionale per la Banda Ultra-Larga***, SNBUL) was approved in March 2015 with the goal of bringing connectivity with a minimum of 100 Mbps for up to 85% of the Italian population and guaranteeing coverage of at least 30 Mbps to all citizens. The SNBUL defines the basic principles of public initiatives to support the development of the ultra-broadband for the period 2014-2020 and rely on the Ministry of Economic Development (MiSE) for the implementation of these measures, also making use of the in-house company Infratel Italia SpA and coordinating the activities of all public and private actors involved. The methods for implementing this strategy have been indicated by the 2015 **CIPE** (Interministerial Committee for Economic Planning) **Resolution which provides for the stipulation of appropriate agreements with the Regions**: objectives, instruments, procedures and resources will be established, followed by one or more operational conventions for the realisation of works. Within the frame of SNBUL, a national state aid scheme – approved by the European Commission in June 2016 – was adopted to support ultra-broadband in market failure areas, namely the remote parts of the Italian Alps.

A **Digital administration code** was promulgated in 2005,³² lastly modified in 2017.³³ Likewise, a specific Agency for Digital Italy (AgID) was created, subordinated to the powers of direction and supervision of the Presidency of the Council of Ministers.

In synergy with the national plan for ultra-broadband, a **Digital Growth Strategy**, apt at adapting gradually to the scenarios in the reference period 2014-2020, was approved in 2014 aimed at progressively switching off the analogical options for the fruition of public services in favour of the digitalisation of the public administration. Many legislative decrees were approved in the recent years in order to adjust different sectors to the digitalisation of the PA, but no specific eGovernment law was passed.

Valle d'Aosta Autonomous Region

At the local level, the **VdA Broadbusiness Plan** was approved by the Regional government in 2012. The convention was signed with IN.VA., the ICT inhouse company of the Aosta Valley Region, which was directly enabled to provide for the completion of the network to reach all anthropized areas of the Valley. The plan was aimed at overcoming the digital divide characterising the region through the total coverage of the territory with the next generation broadband by the end of 2017.

Due to the morphology of the region, lateral valleys characterised by a scarcity of production centres and small municipalities, TLC operators didn't realize infrastructures aimed at laying down fibre-optic networks capable of transporting advanced telematic services, that require high bandwidth availability. To develop a new generation telematic network, the VdA Broadbusiness Plan foresaw the realization of a backbone of optic-fibre on the entire regional territory in order to reach all mobile operators' positions and TLC stations. This infrastructure will be made available under free competition to all operators wishing to strengthen their network with fibre-optic connections to offer value-added services.

³² Legislative decree (d.lgs.) n. 82/2005

³³ Legislative decree (d.lgs.) n. 217/2017

Autonomous Province of Bolzano/Bozen

The Autonomous Province of Bolzano/Bozen has passed in 2012 a **Provincial legislation on the promotion of broadband in the territory of province** (19 January 2012, n.2.) with the objective of a complete and widespread connection of all areas of the province – every municipality – to the fibre-optic network, in order to provide all industrial, craft, tertiary and commercial companies as well as private homes with a broadband connection at a speed of at least 30 megabits per second by 2015 and 100 megabits per second by 2020.³⁴ According to the regional legislation, this goal must be achieved through the joint implementation of an integrated plan between municipalities and provincial administration.³⁵

Autonomous Province of Trento

For the Trento Province an ultra-broadband plan – **Trentino rete, Internet veloce per tutti** – was launched in 2016, following an agreement between the Province and the Italian Ministry of economic development.³⁶ The agreement plans an investment of 72 million euros (47 million from the Government and 25 million from the Province) to build the infrastructure for ultra-broadband in all municipalities except for areas considered profitable, where investments are the responsibility of private operators.³⁷ A call for tenders from Infratel Italia S.p.A. – the in-house company of the Ministry of Economic Development, responsible for the implementation of the Italian Government's Broadband and Ultra-Broadband Plans – to grant the construction and management of passive infrastructures for ultra-broadband in areas of market failure (the so-called white areas) was awarded in 2017 to Open Fiber S.p.A. The ultra-broadband network will therefore be realized in all white areas of the Province in the coming year.

Friuli-Venezia-Giulia Autonomous Region

As for Friuli-Venezia-Giulia, a triennial program (2012-2014), launched by the regional informative systems, was particularly aimed at simplifying and enhancing services to citizens and businesses and overcoming the digital divide between the different regional areas. The plan was elaborated in the framework of the regional law on an **Integrated regional information system**³⁸ which provided for the establishment of a "control room", representing the regional directorates responsible for ICT, e-government, health and telematic infrastructures, in addition to Insiel (the in-house ICT society of the region). This control room was precisely set up with the objective of coordinating the three-year period plan and the subsequent checks on its implementation, including the adaptation of broadband availability to users' needs.

As for the broadband part, **ERMES** (an Excellent Region in a Multimedia European Society) is the program with which the Region intends to operate to make Friuli Venezia Giulia a European area of excellence in the field of ICT. The ERMES Program is an important part of the policy of the regional administration, implemented to ensure that Friuli Venezia Giulia maintains and improves its competitive advantage in comparison with the most advanced European and extra-European regional systems. A series of interventions were funded,

³⁴ Bolzano Provincial law n. 2/2012 (*Legge provinciale 19 gennaio 2012, n. 2 Promozione della banda larga sul territorio della provincia*, in B.U. 24/01/2012, n. 4).

³⁵ Decree of the provincial president 13 November 2012, n. 38. Guidelines for the preparation of the master plan for the construction of the network of fiber access in municipalities of South Tyrol (*Decreto del Presidente della Provincia 13 novembre 2012, n. 381, Linee guida per la predisposizione del masterplan per la realizzazione della rete d'accesso in fibra ottica nei comuni dell'Alto Adige*, in B.U. 30/10/2012, n. 44)

³⁶ Cipe (Interministerial Committee for Economic Planning) resolution n. 65/2015, *Accordo di programma per lo sviluppo della Banda Ultralarga tra Provincia Autonoma di Trento e Ministero dello Sviluppo Economico*

³⁷ Trento, Rovereto, Arco, Riva del Garda and Pergine

³⁸ FVG Regional law n. 9/2011 (*Disciplina del sistema informativo integrato regionale del Friuli Venezia Giulia*, in B.U. 20/07/2011, n. 029)

aimed at bridging the digital divide afflicting large areas of the regional territory, through investment in infrastructures of the telecommunication network which, linking marginal areas of the region, allows to ensure broadband connectivity both to public administration and businesses and citizens. In this context, a management system for the regional network aimed at enabling the use of the infrastructures realized was also planned, along with the creation of a supercomputer necessary for the participation in the European GRID Computing project for distributed supercomputing. The telecommunication infrastructures realized will also allow the promotion and development of ICT within the Alpe-Adria Euroregion. In line with the ERMES Program, the Region may then cede in use the transmission capacity quotas exceeding the requirements of the Public Administration to the telecommunications market, with anti-digital-divide purposes. The regional law 3/2011³⁹ provides for the modalities of the transfer in use of part of the transmission capacities of the regional network to private management companies, identified by procedures with public evidence, in compliance with the current national and EU laws on State Aid and Telecommunications.

The infrastructure created by the Region is a necessary first step towards the development of solutions that will guarantee access to telematic services with ever-increasing performance, whose dissemination is expected in the near future. The diffusion of the new generation networks typically meets significant infrastructural costs related to the excavation works necessary for laying down the communication lines. Therefore, meeting the recommendations expressed several times both at national and European level, with the abovementioned regional law 3/2011, the Region has adopted a regulatory instrument that compels local authorities, public bodies and other beneficiaries of public incentives for the construction of road works and other civil infrastructures, to foresee the realization, in their projects, of infrastructural works meant to host the broadband regional network. It is envisaged that new construction interventions or building renovations with demolition and reconstruction of public buildings in the regional territory must provide for the provision of pipelines suitable for future arrangement of wiring of the broadband network, as well as premises for telecommunications equipment.

Policies and legal framework

Subject	Type of document	Name
Connectivity	National strategy	Strategy for next generation access networks (2015)
Connectivity	Interministerial Committee for Economic Planning deliberation	CIPE resolution for the stipulation of appropriate agreements with the Regions (2015)
Connectivity	Digital Administration code (2005)	Digital Administration code (2005)
Connectivity	National Strategy	Digital Growth Strategy (2014)
Connectivity	VdA regional strategy	VdA Broadbusiness Plan (2012)
Connectivity	Bolzano provincial legislation	Promotion of broadband in the Bolzano territory (2012)
Connectivity	Trentino Ultra-Broadband Plan (2016)	Trentino Ultra-Broadband Plan (2016)
Connectivity	FVG regional law	FVG Integrated regional information system (2011)

³⁹ FVG Regional law n. 3/2011 (*Norme in materia di telecomunicazioni*, in B.U. 23/03/2011, n. 012)
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Connectivity	FVG regional strategy	Triennial program aimed at overcoming digital divide (2012-2014)
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Mapping of actors

Category of actors	Institutional level	Authority	Main powers
Institutional actors	National level	State	Fundamental principles in the field of communication
	Regional/Provincial level	Region/Autonomous Province	Supplementary regional laws harmonised with EU and national provisions

France

The 2015 law on the new territorial organisation of the French Republic⁴⁰ establishes the new distribution of competences between the unitary State and the administrative regions. As for the digitalization area, the State is competent for the, while the regions are competent for the management of the networks. On a second level, regions are divided in departments, owners of local executive powers.

In order to implement the EU Digital Agenda, France has launched the **stratégie du Gouvernement pour le numérique** (national broadband plan) in 2015 with the main objective of making the accessibility to digital tools the norm. Moreover, a regulation for a Digital Republic (*Loi pour une République Numérique*⁴¹) was adopted in 2016, supported by the creation of an *Agence numérique*, a digital agency. The National Broadband Plan (**France Très Haut Débit**) was already published in 2013; with an update in 2015, the Government took the commitment of covering the entire territory with high-speed broadband – 30 Mbps – by 2022.

Still touching on eGovernment, the French government presented its **Roadmap for the Digital Economy** in 2013: the strategy was centered around three pillars, providing opportunities for youth, reinforcing competitiveness and promoting digital values in society. There is not an organic law concerning eGovernment but ordinances to regulate the field were adopted, e.g. one on the right of users to communicate with administrative via electronic means (2014) and another on the simplification of the relation between the administrations and the user (2013).⁴²

Auvergne-Rhone-Alpes

At the regional level, a set of guidelines concerning digitalization in Auvergne - Rhone-Alpes, was adopted in 2017. It is named „Digital Technology: a strategic road map for the Auvergne-Rhone-Alpes region 2017-2021“. The major goals of this road map are the reduction of inequalities in the access to digital services in sparsely populated areas and the optimized use of already created digital infrastructures. To reach these objectives, this guideline

⁴⁰ LOI n° 2015-991 du 7 août 2015 portant nouvelle organisation territoriale de la République, JORF n°0182 du 8 août 2015

⁴¹ LOI n° 2016-1321 du 7 octobre 2016 pour une République numérique, JORF n°0235 du 8 octobre 2016

⁴² European Commission, *eGovernment in France*, Joinup 2015, available online at:

https://joinup.ec.europa.eu/sites/default/files/inline-files/eGovernment%20in%20France%20-%20February%202016%20-%2018%2000_v3_01.pdf

foresees investments in infrastructure, namely broadband access all over the regional territory, envisaging financial coordination mechanism of regional and infra-regional authorities, and development of the use of digital services for inhabitants and economic stakeholders. As for the departmental side, territorial strategical documents were issued to highlight resources and cooperation between authorities and private operators needed to provide digital services to every inhabitant of the Department, e.g., of Savoie⁴³ and Isère⁴⁴ with their 'Territorial outline plan for digital development'.

Policies and legal framework

Subject	Type of document	Name
Connectivity	National strategy	National Broadband Plan (2015)
eGovernment	National strategy	Roadmap for Digital Economy (2016)
Connectivity	National law	Digital Republic regulation (2016)
Connectivity	Auvergne - Rhone-Alpes regional strategy	Digital Technology road map (2017)
Connectivity	Isère departmental strategy	Territorial outline plan for digital planning (2011)
Connectivity	Savoie departmental strategy	Territorial outline plan for digital development (2012)

Mapping of actors

Category of actors	Institutional level	Authority	Main powers
Institutional actors	National level	State	Regulation of the communication sector
	Regional level	Regions	Management of the networks
	Regional level	Departments	Local executive power

Germany

Article 31 of the German Basic Law states that Federal law takes precedence over Land law. From the combined dispositions of articles 71 to 75, listing the legislative powers of the Federation, we extract the fields of concurrent legislation, among which there is the Digital agenda. In this case, the Landers have the right to adopt legislation provided and in so far as the Federation makes no use of its legislative powers in the same field. Conversely, the Federation has the.

The broadband and Next Generation Access (NGA) coverage in Germany is above the European average with DSL being the most common technology to provide broadband access. As of 2015, 31.2% of landlines in Germany provided speeds of 10 Mbps and above. With regards to high and ultra-fast speeds, 7.8% of lines provided speeds between 30Mbps and 100Mbps and 0.4% of landlines provided speeds of 100 Mbps or more. **Germany's**

⁴³ Schéma Directeur Territorial d'Aménagement Numérique de la Savoie 2012

⁴⁴ Schéma Directeur Territorial d'Aménagement Numérique du département de l'Isère 2011

digital strategy was already adopted in 2009, and it has inspired the Digital Agenda for Europe. The Digital Agenda in Germany was revised in 2013 for the period 2014-2017 with the goal of providing all households with broadband access of at least 50 Mbps by 2018. Moreover, the Federal Ministry of Economics and Technology in 2015 passed a document entitled “**ICT Strategy of the German Federal Government: Digital Germany 2015**” in which the main actions for a national digital agenda were strengthened.

In relation to the development of **eGovernment**, in 2009, with the second round of reforms of Germany's federal structure, important changes in the **German Basic Law** came into force with the insertion of articles 91c and 91d. Article 91c ensures the simplification of IT bodies and decision-making processes, increasing their effectiveness and enabling their adaptation to the needs of the fast-evolving technical progress. Since then, the German federation has the exclusive legislative competence for the development of a secure linking-up network to inter-connect Federal and Land IT-networks. Furthermore, Article 91d represented a turning point towards e-government and the modernisation of the administration because it provided the legal basis for facilitating the Federation and the Länder to directly and effectively target their administrations in order to increase their effectiveness, transparency and provision of better public services.⁴⁵

Pursuant to the new article 91c of the Basic Law, the IT Planning Council adopted a **National E-Government Strategy** (NEGS), which was revised in 2015, providing the framework for e-government activities in Germany. In fact, article 91c constitutes the legal framework for cooperation between federal and state authorities in the fields of e-government and information and communications technology in public administration and the IT Planning Council has the role to implement this framework. In parallel, in 2013 an **eGovernment Act**⁴⁶ was adopted to facilitate electronic communication with the administration and to enable federal, state and local governments to provide simpler, more user-friendly and efficient eGovernment services.

Bavaria

At the local level, the Bavarian Lander worked as well on a regional digital agenda with significant implications for mountain areas. Regional funding is available for developing broadband,⁴⁷ with a special broadband programme aiming at ensuring efficient broadband connections in rural areas for private and commercial persons (1 megabit/sec.). The program relies on an integrated approach of elements of information, advisory services, competition and support combined with relevant business areas.

Policies and legal framework

Subject	Type of document	Name
Connectivity	National strategy	Germany's Digital Agenda (2009, revised in 2013)
Connectivity	National strategy	ICT strategy of the German Federal Government (2015)
eGovernment	National strategy	National eGovernment Strategy

⁴⁵ European Commission, *eGovernment in Germany*, Joinup 2015, p.18, available online at: https://joinup.ec.europa.eu/sites/default/files/inline-files/eGovernment%20in%20Germany%20-%20February%202016%20-%2018_00%20-%20v2_00.pdf

⁴⁶ E-Government Act of 25 July 2013 (Federal Law Gazette [BGBl.] Part I)

⁴⁷ European Court of Auditors, *Broadband in the EU, Audit brief*, September 2017, p. 14, available online at: https://www.eca.europa.eu/Lists/ECADocuments/AB_BROADBAND/AB_BROADBAND_EN.pdf

eGovernment	National Basic law	eGovernment inserted in German Basic Law (2009)
eGovernment	National law	eGovernment Act (2013)
Connectivity	Land strategy	Bavaria Digital Agenda

Mapping of actors

Category of actors	Institutional level	Authority	Main powers
Institutional actors	National level	Federal government	Legislation on digital agenda if it is intended to establish equitable living conditions in the federal territory or maintain Germany's legal and economic unity
	Regional level	Bundeslander	Legislation in so far as the Federation makes no use of its legislative powers in the field

Austria

The distribution of competences between the Federated government and the Landers, in Austria, is established by articles 10, 11 and 12 of the Constitution. According to article 10, the Federation has powers of legislation and execution in the matter of postal and telecommunications system. This subject matter, however, within the framework of the constitutionally established sphere of competence, can be directly performed by Federated authorities.

It is important to highlight that Austria's broadband strategy focuses on the supply of ultrafast broadband, as a full basic broadband coverage has already been reached. Indeed, Austria's national broadband target goes way beyond the EU Digital Agenda targets and aims at full coverage of ultrafast broadband throughout the country by 2020. The **strategy** was adopted in November 2012 with the objective of achieving 70% coverage of ultrafast-broadband (defined as 100 Mbps downstream) in metropolitan areas until 2018, coupled with a 99% coverage of ultrafast-broadband for all households in Austria until 2020. A Broadband Bureau, part of the Federal Ministry for Transport, Innovation and Technology, was set up, acting as a national competence centre for communities, federal states and operators, to promote the deployment of broadband networks in Austria.

Austria provided itself with an **eGovernment Act**, centrepiece of Austrian eGovernment law, already 2004, which was last amended in July 2016 as a result of the adjustment to the prementioned eIDAS Regulation. This is the core of Austrian laws on eGovernment and it serves as the legal basis for all eGovernment instruments and components.⁴⁸

As of January 2018, the divisions "Digital Agenda and E-Government – Law, Strategy and International" and "Digital Agenda and E-Government – Program Management and Project Management", which were allocated to the Federal Chancellery, were taken over by a dedicated Federal Ministry of Digital, Business and Enterprise.⁴⁹

Styria

⁴⁸ See <https://www.digital.austria.gv.at/home>

⁴⁹ *Bundesministeriengesetz-Novelle 2017, BGBl. I Nr. 164/2017*
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In Styria, a broadband strategy, **Highway 2020**, is implemented in order to provide faster or ultrafast broadband infrastructures as an essential instrument for contemporary regional promotion. Nationwide availability of ultrafast Internet is, in fact, the precondition for realizing the potential of digitalization in Styria and, at the same time, it is also a tremendous challenge especially for small and medium-sized enterprises since these companies require support for the conversion and adaptation of their production and business processes.⁵⁰

Policies and legal framework

Subject	Type of document	Name
Connectivity	National strategy	National Broadband Strategy (2012)
eGovernment	National law	eGovernment Act
Connectivity	Styria land strategy	Highway 2020

Mapping of actors

Category of actors	Institutional level	Authority	Main powers
Institutional actors	National level	Federal government	Powers of legislation and execution in the matter of postal and telecommunications system
	Regional level	Federal State	Within the framework of the constitutionally established sphere of competence they can directly legislate on telecommunications

Slovenia

Unlike the already examined countries, Slovenia, as set by article 4 of the Constitution, is a territorially unified and indivisible state. However, local self-government, in municipalities and other local communities, is guaranteed (articles 9 and 138 of the Slovenian Constitution). As for the distribution of competences, a municipality regulates only local tasks, but articles 140 and 143 state that, by law, the state may transfer to municipalities or regions the performance of specific duties within the state competence if it also provides the financial resources to enable such. State authorities will therefore supervise the proper and competent performance of work relating to matters devolved in local community authorities by the state.

Regarding the connectivity situation, Slovenia has a less extensive broadband network compared to the other Alpine States, covering around 73% of homes, but it is able to provide Next Generation Access (30 Mbps) to 65% of homes, whereas third generation mobile broadband (HDSL) reaches over 96% of the population and the 4th generation (LTE) is received by more than 12%. Slovenia has 38% of landlines providing speeds of 10 Mbps and above. With regards to high and ultra-fast speeds, only 2.4% of lines provide speeds between 30Mbps and 100Mbps and 1.6% of landlines provide speeds of 100 Mbps or over.⁵¹ The **Digital Slovenia 2020 – Development strategy for the information society**, a Next Generation Broadband Network Development Plan, is running until 2020: the aim is to

⁵⁰ Office of the Styrian State Government Department 12 Economic Affairs, Tourism, Sports, *Economic Strategy 2025, Growth through innovation*, p. 31

⁵¹ *Agenda digitale della Alpi /Alpine Digital Agenda* (op. cit), p. 17.
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provide 96% of households with speeds of at least 100 Mbps by 2020 and 4% of households with at least 30 Mbps.⁵²

There is currently no overall eGovernment legislation in Slovenia, but the **General Administrative Procedures Act**⁵³, adopted in 1999 and several times amended, provides the general legal basis for all administrative proceedings.⁵⁴ The framework for the development of eGovernment in Slovenia is, yet, based on the **Strategy on IT and electronic services development and connection of official records (SREP)**, adopted in June 2009, on the **Action Plan on Electronic Commerce in Public Administration** of 2010 and, at last, on the **Public Administration 2020 – Slovenian Public Administration Development Strategy 2015 – 2020**.⁵⁵

Policies and legal framework

Subject	Type of document	Name
eGovernment	National strategy	Strategy on IT and electronic services development (2009)
eGovernment	National strategy	Action Plan on electronic commerce in Public Administration (2010)
eGovernment	National strategy	Public Administration 2020 (2014)
Connectivity	National strategy	Digital Slovenia 2020 (2016)
eGovernment	National law	General Administration Procedures Act (1999)

Mapping of actors

Category of actors	Institutional level	Authority	Main powers
Institutional actors	National level	State	May transfer to municipalities or regions the performance of specific duties within the state competence if it also provides the financial resources to enable such
	Local level	Municipalities	Local tasks

Switzerland

According to articles 42 and 43 of the Swiss Constitution, the Confederation fulfils its responsibilities, attributed directly by the Constitution, while the cantons define their tasks in

⁵² Republic of Slovenia, *DIGITAL SLOVENIA 2020 - Development strategy for the information society until 2020, Digitalisation of Slovenia by intense and innovative use of ICT and internet in all segments of society*, 10th March 2016, pp. 26-27.

⁵³ General Administrative Procedures Act (Official Gazette of the Republic of Slovenia, no. 24/2006-ZUP-UPB2, 105/06-ZUS-1, 126/07, 65/08, 8/10, 82/13)

⁵⁴ European Commission, *eGovernment in Slovenia*, Joinup 2016, p. 16, available at :

https://joinup.ec.europa.eu/sites/default/files/inline-files/eGovernment_in_Slovenia_March_2017_v3_00.pdf

⁵⁵ Ibid, p.14.

the context of their competences. Following the reform on the distribution of competences,⁵⁶ entered into force in 2008, the subsidiarity principle was introduced in article 5 of the Constitution, so that the Confederation must only take on the tasks that exceed cantons' competences or that need a uniform regulation. When it comes to shared tasks, the Confederation and the cantons agree on specific objectives that cantons will realise in application of federal law (art. 47 of the Constitution). Cantons also implement programmes financed by the Confederation: for the digital context, the law on telecommunications⁵⁷ was adopted at the federal level. A Federal office for communications (*Office fédéral de la communication* (OFCOM), under the Federal Department for environment, transports, energy and communications, is the responsible agency in the field.

In 2016, a digital strategy for 2015-2019 (**Stratégie Suisse numérique**) was issued to provide a full coverage of ultrafast broadband (100 Mbps or more) to all Swiss villages by 2020. The Confederation, together with the cantons and the communes are pursuing a joint **e-government strategy** for the period 2016-2020⁵⁸ aimed at reaching transparent, cost-effective and seamless electronic government services for the general public, businesses and the administration. A **Framework agreement** under public law⁵⁹ defined the arrangements for e-government cooperation between the Confederation, the cantons and the communes, regarding, in particular, the organisation of different bodies and budget management. The main actions identified by the Swiss government to make the country one of the world digital economies are, e.g., the acquirement of a digital identity for each citizen and legal entity in order to be recognizable in virtual reality and to access specific services.⁶⁰

Policies and legal framework

Subject	Type of document	Name
eGovernment	Swiss strategy	eGovernment Strategy (2013)
Connectivity	Swiss strategy	Digital Strategy for 2015-2019 (2916)
eGovernment	Public law	Framework agreement for eGovernment (2016)

Mapping of actors

Category of actors	Institutional level	Authority	Main powers
Institutional actors	National level	Federal government	Agreement with cantons on specific objectives for shared competences
	Regional level	Cantons	Realisation of objectives in application of federal law

Liechtenstein

⁵⁶ *Réforme de la péréquation financière et de la répartition des tâches entre la Confédération et les cantons (RPT)* – in force since the 1st of January, 2008.

⁵⁷ *Loi sur les télécommunications (LTC)*, 1997

⁵⁸ *Stratégie suisse de cyberadministration*, 2015, replacing the 2007 First eGovernment Strategy Switzerland

⁵⁹ *Convention-cadre de droit public concernant la collaboration en matière de cyberadministration en Suisse* (2016–2019)

⁶⁰ *Agenda digitale della Alpi /Alpine Digital Agenda* (op. cit), p. 13.

The Principality of Liechtenstein is a constitutional hereditary monarchy on a democratic and parliamentary basis. Given the exiguous dimensions of the monarchy, and the overall wealth, the internet access rate is very high: around 98% of all residents have access to the Internet; approximately 42% of the population have their own fast Internet connection, which is at least faster than the previous ISDN, i.e. more than 2 Kbps.

Without being part of the EU, the first actions for a new concept of e-Government, e-Health and full broadband coverage are, however, based on the European Digital Agenda. The 2011 **eGovernment Act**⁶¹ mainly includes provisions focused on electronic communication, identification and authentication in electronic commerce and electronic records management.⁶²

Summary of actors concerned by AG5 work

Given the national context already sketched, it is time to attempt a review of the type of stakeholders related to AG5 activities. With regard to the public actors, stakeholders dealing with connectivity are – clearly – national ministries of digitalisation (or similia) and regions – or landers – empowered with competences in the field. Overall, in the Alpine territory, the responsible entity for the implementation on the ground of the general principles laid down by the States, on the theme of broadband spread or eGovernment, are local authorities, usually equipped with in-house ICT society. Moreover, in some cases (Italy, France, Austria) a national agency concerning the digitalisation of the country (i.e. digital agency) has been created.

As for the international side, contacts with the EU Commission's Directorate-General for Communications Networks, Content and Technology (DG CONNECT) are very important, since their daily work affects every action that AG5 is taking. An important connection is, as well, the one with the Alpine Convention Working Group on MRSs, a transnational platform where it is possible to share views, experiences and good practices among Alpine countries. The Euregio Tirol-Südtirol-Trentino, organised as an EGTC⁶³, is the leader of EUSALP AG4, aimed at promoting inter-modality and interoperability in passenger and freight transport: contacts with this entity, because of the affinity of topics and the belonging to the same thematic policy area – 'Mobility and connectivity' - are highly recommended. Exchanges with the Alpe-Adria working group⁶⁴ and the Arge-Alp working community⁶⁵ should also be envisaged.

Regarding the informal, private, side of actors dealing with connectivity, and hence constituting potential stakeholders of the AG5, several different kinds of organisms must be considered: TLC operators and internet service providers firstly (e.g. Vodafone, Fastweb, Swisscom, etc.), companies laying down infrastructures, research centres, and universities. Civil society should also be involved in the work of the AG: an effective communication strategy – through events, meetings advertising, social media – to diffuse EUSALP among the citizens must be defined.

⁶¹ eGovernment Act (eGovG) (register number 172.018.1 and 172.018.11)

⁶² European Commission, *eGovernment in Liechtenstein*, Joinup 2016, p. 11, available at: https://joinup.ec.europa.eu/sites/default/files/inline-files/eGovernment%20in%20Liechtenstein%20-%20February%202016%20-%202013%20-%202020_00.pdf

⁶³ European Grouping of Territorial Cooperation (Regulation (EC) n. 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC)

⁶⁴ Working Community of Cantons, Provinces, Counties, Regions and Republics of East Alpine Region promoting co-operation between the states of the Eastern Alps and the Northern Adriatic region in the field of tourism, environmental protection, culture, science, politics, economy and European integration.

⁶⁵ ARGE ALP – Alpine Regions Working Community – aims at solving common problems in different regions of the Alpine arch in a good neighborly relationship and mutual cooperation.
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Analysis of the level of progression of connectivity policies in the abovementioned States

Contextualized in the framework given by the EU Commission, which set the objective of the total coverage of Next Generation Access (NGA) networks at a minimum speed of 30 Mbps for the entire EU territory, EU countries still differ in the level of Internet broadband development. Plus, we need to consider that two EUSALP participants, Switzerland and Liechtenstein are not EU members. The various objectives of each national broadband strategies are summarized in the Annex I to this report.

It is clear that policies concerning the supply of ultrafast broadband are extremely advanced in the German part of the Alps. Germany and Austria already fulfilled the goal identified by the EU Digital Agenda and the totality of the German population can already enjoy Internet at 30 Mbps speed, while in Austria the 70% of users can have the use of a down of a downstream speed of 100 Mbps. Slovenia has set an ambitious target envisaging the 96% coverage of the territory at 100 Mbps by 2020; yet, the remaining 4% will be covered by a broadband speed of 30 Mbps. Presumably, this percentage represents the remote areas of the country, the ones touched by EUSALP, where the deployment of ultrafast broadband is more difficult.

Italy seems to be in line with the overall objectives prescribed by the EU, whereas France is supposed to reach the minor goal of 100% coverage of broadband at a minimum speed of 30 Mbps by 2022, two years after the time limit fixed by the EU Commission. Switzerland's digital strategy, and to a certain degree Liechtenstein's too, although the country is not part of the EU, retraces the EU Digital Agenda and aims at full ultrafast broadband coverage at 100 Mbps by 2020, which is the EU objective for 2025.

As for eGovernment, the EU has been active in providing detailed guiding principles to foster the digitalization of PA by adopting a strategy at the European level which, concept papers and guidelines. The aim of harmonizing the field, in particular in cross-border regions, is solid. Each MSs is therefore implementing those guidelines by adopting strategies and legislation. In the alpine arc, Germany, Austria and Liechtenstein have adopted a specific eGovernment act. Slovenia, instead, isn't equipped of a proper legislation but has published a Strategy on IT and electronic services development and connection of actions records. The same applies to Italy and France, which have issued national digital strategies. Switzerland, as well, adopted an eGovernment strategy, linked with a Framework agreement under public law for the cooperation between Confederation, cantons and communes (municipalities).

Summary of good practices implemented

The level of progression of connectivity policies in the Alps, as we have seen, is still uneven, with the German-speaking part of the Alpine region leading as a frontrunner. However, good practices related to digitalization and broadband development can be found in many EUSALP countries or subnational entities. The aim of this paragraph is to highlight these best practices so that they can be shared, duplicated or rearranged for better in the Alpine context.

Starting with Italy, using the same order as before, the Italian national state aid scheme to support ultra-broadband in market failure areas must be mentioned. It consists on a planned total budget of EUR 4 billion, composing of national and regional funds, that was made available to build a passive public infrastructure managed with a wholesale-only model and opened to all the operators in areas where a market failure is present, so-called 'white areas'.⁶⁶ Further measures are under study to match the desired targets in grey and black

⁶⁶ State aid measure (SA41647(2016/N)
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areas too. Similarly, in the Aosta Valley region – a territory which is entirely characterized as a white area (except for the main city in the middle of the region, Aosta) – a backbone of optic-fibre on the entire regional territory to be made available under free competition to all operators wishing to strengthen their network was realized.⁶⁷ The same strategy was set up in the Autonomous Province of Trento, where an ultra-broadband network is in construction in all market failure areas.⁶⁸ In the Autonomous Province of Bolzano/Bozen, in order to reach the goal of 100 Mbps by 2020, the provincial legislation deliberated the development of an integrated plan to be implemented jointly by provincial administrations with the municipalities, in order to include all the actors concerned on the territory.⁶⁹

With regard to the last Italian region considered, the 2012-2014 strategy aimed at overcoming digital divide approved the creation of a 'control room' where regional directorates responsible for ICT, eGovernment and telematic infrastructures – with their in-house ICT companies – are represented and involved to coordinate the broadband plan and check its implementation.⁷⁰ Moreover, the promotion and development of ICT within the Alpe-Adria Euroregion was taken into account in the regional ERMES (Excellent Region in a Multimedia European Society) program. This constitutes an important example of promotion of trans-border cooperation, since a regional strategy is trying to benefit from structures devoted to collaboration already working on the territory. Of utmost importance, a regulatory instrument was adopted in 2011 to compel local authorities, public bodies and beneficiaries of public incentives – for the construction of road works and other civil infrastructures – to provide for the realization, in their projects, of infrastructural works meant to host the broadband regional network.⁷¹

In France, the region Auvergne-Rhone-Alpes, by means of its Digital Rhone Alpes Strategy, established a financial coordination mechanism of regional and infra-regional authorities to optimise investments related to the digital infrastructures deployment.

When talking about digitalisation and connectivity, Germany is the lead state in Europe since 2009. Indeed, the EU Digital Agenda was inspired by a preceding German one. For the interest of this report, it is important to highlight that in Bavaria, a lander whose territory is entirely part of EUSALP, a special broadband programme aimed at ensuring efficient connection in rural areas for private and commercial persons was approved.⁷²

Ultimately, Austria proceeded, at the beginning of 2018, in modifying its ministerial structures by establishing a dedicated 'Federal Ministry of Digital, Business and Enterprise'. This fact is useful to underline the relevance this topic is gaining lately, by being at the centre of political discussions.

⁶⁷ VdA Broadbusiness Plan (2012)

⁶⁸ Trentino Ultra-Broadband Plan (2016)

⁶⁹ Bolzano Provincial legislation on the promotion of broadband in the territory (2012)

⁷⁰ FVG Triennial program (2012-2014) aimed at simplifying and enhancing services and overcoming digital divide

⁷¹ FVG regional law on Integrated regional information system (2011)

⁷² Bavaria Digital Agenda

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3. Detailed analysis of governance

3.1 Integration of SGIs

In the first part of the chapter, we present for each topic illustrated previously a matrix of the competencies and we showcase these competencies with different concrete examples. A guiding question for Action Group 5 and especially Subgroup 2 dealing with SGI is, whether these services are integrated in the sense that synergies between the different services are actively sought and put into practice. This can be encouraged by a legislation favouring the integration of SGI. In the following chapter, we therefore present some practices on integration in the different fields. The examples given are not at all exhaustive but only illustrative based on the work carried out mainly in the Alpine space program project INTESI.

Regional development

Overview of the competencies in the field of regional development.

Regional development	National level	Regional level	Subregional level	Local level
Austria	Framework legislation, general vision on spatial development.	Main competence for spatial planning.	Districts and subregional authorities like LAG's have competencies in regional development and spatial planning. Regional development with Regional-managements.	Implementation of spatial planning.
Switzerland	Framework legislation, general vision on spatial development.	Main competence for spatial planning.	Only in some cantons a competence is delegated to subregional entities like districts or Planungskonferenzen. Regional development with NRP-regions.	Implementation of spatial planning.
Italy	Framework legislation, general vision on spatial development.	Main competence for spatial planning and regional development.	Regional development with Comunità di montagna. LAG's.	Implementation of spatial planning.
France	Framework legislation, general vision on spatial development.	Main competence for spatial planning.	Planning e.g. in metropolitan areas, in comunautés des communes etc.	Implementation of spatial planning.
Slovenia	Legislation and direct competence for spatial planning.	None	None	Implementation of spatial planning.
Germany	Framework legislation, general vision on spatial	Main competence for spatial planning.	Planning at district level and at the level of Raumplanungsregionen. Regional development	Implementation of spatial planning.

	development.		with Regionalmanagements, LAG's and others.	
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The competencies in the field of regional development largely rely within the regional level. The national level in most countries with the exception of Slovenia has the role to provide the framework legislation and the general vision on spatial planning. For regional development, the national authorities are responsible to transform the instruments of the EU Cohesion policy into national operational programs. In Switzerland, the Federal Government provides it's own instruments for regional development through the New regional policy (NRP) which is then co-financed and implemented by the cantons.

For AG5 this means, that the regions are the main actors to deal with in the application of the macroregional strategy in the field of regional development.

Area	Type of governance	Good practice
Austria (Carinthia)	Roles and responsibilities	Creation of a new office based on STRALE!K Goals: - Working on the realization of the strategic country development - Contributes to the preservation of rural areas
Switzerland	Roles and responsibilities	Each canton has a spatial development concept which gives the general vision and is not legally binding. The concept is transformed into the cantonal structural plans, which are legally binding for the canton and the municipalities. Mobility is an obligatory theme in these structural plans.
Switzerland	Integration	Elaboration of a regional spatial development plan at inter-municipal level. This could be a great tool for coordinating services however it is also a potential source of conflicts.
Italy (South Tyrol)	Integration	South Tyrol's regional development strategy 2014 – 2020 (Regionale Entwicklungsstrategien 2014-2020) focuses on the approach of community-led local development. Measures regarding this aspect include the stabilization of economic areas particularly agriculture and tourism, increasing living quality by guaranteeing working place in the periphery as well as Refining the local, agricultural products in order to increase the local added value (Tappeiner 2013).
Italy (South Tyrol)	Roles and responsibilities	The LEROP (Landesentwicklungs-und Raumordnungsplan) foresees that the 116 municipalities are organised economically, socially and culturally in 15 small functional regions organised around a central locality, where supply facilities of different levels are available for the population at a reasonable distance.
Italy (South Tyrol)	Innovation	The Smart specialisation strategy 2014 includes innovation strategies for the sectors energy and environment, alpine technology, food technology, ICT, creative economy and medical technologies and is based on the governance model that maximises the participation of key stakeholders such as institutions, research centres, enterprises, civil society (Autonome Provinz Bozen 2014).

Overview of the competencies in the field of Basic goods.

Basic goods	National level	Regional level	Subregional level	Local level
Austria	None	None	None	None
Switzerland	None	None	None	None
Italy	None	None	None	Special intervention in South Tyrol.
France	None	None	None	None.
Slovenia	None.	None	None	None
Germany	None	None	None	None

From a legal point of view, no hierarchical level is responsible for basic goods as these are supposed to be delivered by the market. Only South Tyrol has some intervention logic in this field. This picture holds only true, when thinking of basic goods like grocery shops, bakeries etc. The situation is different for postal services which are not addressed in the above table. The main actors therefore are the service providers.

For AG5 this means, that this is not a field where a strategic intervention can be centrally planned and steered. But good practices can be put into realization on the ground via discussions at local level and with the respective service providers.

Irrespective of these legal aspects, many regions and municipalities tried to build new models on how to improve the delivery of basic goods. Some cases are illustrated in the table below.

Area	Type of governance	Good practice
Italy (South Tyrol)	Roles and responsibilities	Basic goods are covered area wide in all municipalities and most of the districts. This is due to the restrictive regional development plan and specific restrictions in the use of certain territorial allocations (i.e. restriction of retail shops in commercial areas). Thus, South Tyrol protects the existing small retailers in remote municipalities by granting subsidies for specific local development and local supply concepts (Küpper et al 2014, p. 54-55).
Switzerland	Integration	The law and the ordinance on postal services define the SGI as: postal offices must be accessible for 90% of the population in 20 minutes by foot or public transport. More and more of the post offices are being integrated into grocery stores. This model is nothing brand-new but very successful since the opening hours are more attractive for the customers and the post office attributes to the grocery a higher frequency of customers.
France	Integration	Hybridization of functions and public / private models: model of "third places" integrating provision of social services of general interest, merchant services, co-working spaces, accommodation of citizens' projects. The South Alpes Isère country is working on economic / non-economic partnerships. They want to enable the connection between last shops in little villages, and projects of SGIs houses, and they integrate this issue in new development contracts.

France	Innovation	Roaming services allowing to irrigate a sparse territory in a form of a travelling bus (mobile commerce, mobile libraries, mobile FabLab, mobile toy library, mobile SGI house, hairdresser and pedicurist, cinema ...).
Italy (South Tyrol)	Roles and responsibilities	Companies, that operate in rural areas and provide retail sale including a large variety of fresh and preserved foods of daily necessities in villages with at least 150 residents, whereby the next local supply services, is at least located 2.5 km from the nearest adequate food supplier, are granted contributions by the province (directive no. 487/2015).
Italy (South Tyrol)	Innovation	Model "Wanderhandel" (mobile trade) mainly bakeries, dairy products that sell their products from a mobile stand.
Italy (South Tyrol)	Integration	The Consumer cooperative "KonsuMoos" (5 families) independently run their small retailer founded the consumer cooperative to maintain local supply of basic goods. The cooperative bought the inventory, pays for the rent of the premises and is responsible for the management. This model entails advantages for the consumer and members of the cooperative as the price was reduced by 10-14% as formally, this is only possible as the cooperative buys the products.

Transport

Overview of the competencies in the field of (public) transport.

Transport	National level	Regional level	Subregional level	Local level
Austria	General regulation on transport in accordance with EU-Legislation. Responsible for long run transport.	Main competence for regional transport.	Verkehrsverbände at regional and subregional level.	Urban transport systems, school busses etc.
Switzerland	General regulation on transport. Responsible for long run transport. Co-Financing of regional transport.	Regional transport under the responsibility of the cantons, Co-financed by the federal government.	Common planning of public transports in Agglomerations-programmen and Regionalkonferenzen.	Local public transport, as far as it is excluded from federal subsidies.
Italy	General regulation on transport in accordance with EU-Legislation. Responsible for long run transport.	Main competence for regional transport.	Competences at provincial level (for the autonomous provinces)	Local public transport.
France	General regulation on transport in accordance with	Main competence for regional transport.	Planning e.g. in metropolitan areas, in communautés des communes etc.	Local public transport.

	EU-Legislation. Responsible for long run transport.			
Slovenia	General regulation on transport in accordance with EU-Legislation. Responsible for long run transport.	None	None	Implementation of spatial planning.
Germany	General regulation on transport in accordance with EU-Legislation. Responsible for long run transport.	Main competence for regional transport at Bundesländer-ebene.	Verkehrsverbünde at regional and subregional level.	Local public transport.

The competencies in the field of transport rely within the national level as far as transport at long distances is concerned. The regional level is very important for regional transport, coordination is often carried out at subregional level. Main actors are the public authorities at the respective levels, as they are responsible for the planning of the infrastructures and offers. The service providers are also very important, as they are responsible for the implementation of the infrastructure construction and delivery of the services.

For AG5 this means, that the regions are the main actors to deal with in the application of the macroregional strategy in the field of public transport. But also the national level has to be associated to the work. The subregional level is of high importance for the application of new ideas and integration models on the ground. This can also be illustrated by the following table on good practices.

Area	Type of governance	Good practice
Italy (South Tyrol)	Innovation	In respect to the transport sector South Tyrol has implemented the cycle system (minimum hourly service in remote areas), and integrated tariff system. The South Tyrolean Mobility Card is affordable and user friendly and thus strengthens the use of public transport in peripheral areas and especially by elderly people. Moreover, the direct competences of the province with no intermediate transport association allows an easier and flexible reaction to reforms and autonomous decision-making.
Austria (Carinthia)	Integration	MOMAK (mobility masterplan) has been implemented in the form of 10 pilot projects in Carinthia. Regional traffic plan: The regional transport plan regulates public transport and is in the middle of implementation.
Austria (Carinthia)	Innovation	The implementation of the regional traffic plan, which regulates the procedure of the public tender, is intended to secure public transport again more attractive and sustainable. There will be again more offers for commuters, students and tourists. The way of the functional tendering is an innovative approach which is to be tested and implemented in this region. This type of tendering should then be applied in all other peripheral regions.

Austria	Integration	Inter-municipal cooperation and public as well as private forms of cooperation are established models for the organisation of SGI, particularly in sparsely populated, rural regions. The communication and mobility services play a vital role, as they are feeder canals leading to the more and more sparsely distributed facilities of the social services SSGI.
Switzerland	Innovation	Concrete measures planned are higher frequencies of busses and trains and extended bus services till late in the night. The test area is only served by postal car busses. In the domain of public transport for example the increase in passengers and also ticket prices have permitted the improvement of the offer. On a cantonal level the innovation of the night bus system has been introduced. A Vision is also to introduce a system of mixed transport such as public transport-taxis-car sharing for settlements smaller than 100 inhabitants.
France	Roles and Responsibilities	Local public services are either managed in-house or through concession or lease with public service delegation, which sets the rules for universal service provision (for instance in public transportation area).
Italy (South Tyrol)	Roles and Responsibilities	The provincial law regulates the mobility services of the common interest and is based on the subsidiarity principle. The province is responsible for the main axes of mobility, junctions and guarantees the minimum services (criteria defined in the provincial mobility plan). The municipalities regulate their mobility interests locally.
Italy (South Tyrol)	Innovation	Mobility Card, an electronic ticket, for children as well as elderly above 65 that was implemented 2012 allows people to be even more mobile at an affordable price and a user friendly. <ul style="list-style-type: none"> - Mobile App has been improved that offers an informative service on timetables, routes and delays of public transport. - In some municipalities, the system of “call bus” has been implemented for the connection of small settlements. It only runs when a minimum number of people call for the service.
Italy (South Tyrol)	Innovation	Projects such as sharing economy, social mobility were the social and NGO “Lebenshilfe” together with the car rental company KSM or white cross offer transportation services. The white cross has many vehicles that are not in use, these should be sufficiently utilised by bundling social and commercial area and make the best use of these services especially in peripheral areas.
Italy (South Tyrol)	Roles and responsibilities	An implementing order on the South Tyrolean retail trade allows an autonomous spatial development in retail trade. This new autonomy in the field of commerce is thus a further instrument to plan and control trade (HDS 2016).
Italy (Lombardy)	Innovation	The Region of Lombardy has created, with the cooperation of transport managers, Muoversi in Lombardia, a Travel Planner web portal aiming at gathering train, bus, metro (and other) time tables and routes. The Region has also facilitated the adoption of technological standards for the development of electronic ticketing supporting mode and tariff integration on the whole regional territory. Outside Milan metropolitan area, Lombardy has also foreseen a tender aiming to fund the creation of

		electronic ticketing systems to be integrated with the regional rail services and to be developed by provincial capitals in order to cover the whole regional territory with interoperable ticketing systems (<i>MTRP, 2016</i>).
Italy (Lombardy)	Integration	A postbus (Autopostale)-like experimentation, integrating transport of people, goods, medicines, is ongoing in the Oltrepo Pavese Mountain Community.
Slovenia	Integration	A uniform travel card is in place, which enables a payment of all transport services (train, intercity bus, and city bus) with one card. According to the interviewees, the school bus in the TA is also quite well organised, and one could argue that it represents a good integration model, interrelating transport and education.

Telecommunication

Overview of the competencies in the field of telecommunication.

Telecom	National level	Regional level	Subregional level	Local level
Austria	General regulation on telecommunication in accordance with EU-Legislation. National Broad band agenda.	Broad band agendas at Länder-Ebene. Co-financing of Infrastructure.	Various.	Last Mile.
Switzerland	General regulation on telecom. Universal service regulation (3Mbit/s download). No public financial support to infrastructure construction at national level. No national broadband strategy.	Few Cantons have foreseen an action to support infrastructure construction (mainly Fribourg).	Some good initiatives like Danet Oberwallis to build FTTH on a supra-municipal level.	Municipalities which want to speed up the rollout of new technologies and which are not disserved by the market have to negotiate directly with the service providers like Swisscom and UPC Cablecom.
Italy	General regulation on telecom in accordance with EU-Legislation. National Broad band agenda.	Broad band agendas at regional level. Co-financing of Infrastructure.	Competences at provincial level (for the autonomous provinces)	Last mile.
France	General regulation on telecom in accordance with EU-Legislation. National Broad band agenda.	Broad band agendas at regional level. Co-financing of Infrastructure.		Last mile.
Slovenia	General regulation on telecom in accordance with	None	None	Last mile.

	EU-Legislation. National Broad band agenda.			
Germany	General regulation on telecom in accordance with EU-Legislation. National Broad band agenda.	Broad band agendas at Bundesländer- ebene. Co- financing of Infrastructure		Last mile.

The competencies in the field of telecom relies on the national level as far as the regulation is addressed. In the EU-member states, this derives directly from the respective EU-directives. All EU-member states have adopted a national broadband agenda, based on the EU-agenda. In the federal countries, these broadband agendas have also been transformed into regional agendas. Public intervention is foreseen in the white and grey areas, where there's no or too few infrastructure investment by private companies. The public intervention is financed through ERDF and Rural development funds. Switzerland has a completely different model basing mainly on market driven developments, the federal state guaranteeing a minimum service delivery with the universal services obligation.

For AG5 this means, that the national level is the main actor to deal with as far as the strategic dimension is addressed. When it comes to concrete operational programs and activities, the regions are the main actors together with the service providers.

Area	Type of governance	Good practice
Austria (Tyrol)	Innovation	Fibre optic networks are particularly important for remote areas, because they work very well over long distances without the application of active components or power supply (up to approximately 80 km). The regional broadband campaign in the Tyrol is an initiative to implement sustainable broadband infrastructure and is not just limited to the (gradual) technological adaptation (e.g. from DSL to vectoring of copper networks). The Tyrolean model of municipal broadband expansion in rural areas is the most beneficial one regarding autonomy, location safeguarding and social participation.
Austria (Tyrol)	Roles and responsibilities	Tyrolean municipalities have the task to translate the strategic aims into action: more than 140 of the 279 Tyrolean municipalities are building their own passive broadband infrastructure; for the rest there is no need in present, because those regions have already an appropriate infrastructure and at least one provider. The TIWAG (regional energy supply company owned by the Province of Tyrol) provides about 1,500 km of empty conduit infrastructure; the Tyrolean municipalities are allowed to use those existing conduits to build infrastructure in a cost-effective and relatively quick way. Neighbouring communities cooperate concerning the broadband expansion in order to conduct the joint planning and installation of the regional feeder cable.
Austria (Carinthia)	Roles and responsibilities	The broadband masterplan for Carinthia supported the implementation fiber optic networks in peripheral regions. Now there is no planning tool which can provide the planning cost effectively and comprehensively for the regions.
Austria	Roles and	The regional traffic plan is a main instrument for the definitions of

(Carinthia)	responsibilities	objectives in public transport and in particular forms the framework for: <ul style="list-style-type: none"> - the determination of the mobility needs of plan-directing population groups (main target groups), - the functional description of the traffic services to be attuned to these needs, - the organisational structuring of the roles and tasks of the concurrent public and private actors, - the assignment of public means for public transport services to territorial units (cities, municipal areas, regions) and - the authorizations according to the passenger transport law.
Switzerland	Roles and responsibilities	The law and the ordinance on telecom services define the SGI as: accessibility to fixed phone lines, fax etc. and a broad band access of at least 3 Mbit/s download capacity for every household and enterprise. This value is foreseen to increase to 10 Mbit/s by 2019/2020. The Swisscom is the holder of the universal services concession and must fulfil these prescriptions. The universal service provider has theoretically the right to appeal for federal subsidies for these services if it can prove, that they are not economically viable. Swisscom has refused to request such subsidies so far. The concession is given for seven years. Swisscom is owned by at least 50% by the federal government (quota fixed by law).
Italy (South Tyrol)	Innovation	The most relevant measures of the “South Tyrol Digital 2020” guideline in respect to the peripheral mountain areas are the establishment of a uniform, wide-area broadband network to strengthen the regional economic development. These legal documents are embedded in the EU Digital Agenda as well as the Italian national strategies in this sector.
Italy(South Tyrol)	Integration	Integration in the field of transport and education due to special summer initiative „Young & Museum”, started in 2014 where scholars and students can use their South Tyrolean Mobility Card “ABO+” ⁷³ to enter 57 Museums of the Province freely.
Italy(South Tyrol)	Communication	The integrative approach of the strategic planning document “South Tyrol Digital 2020” lies within the stakeholders’ involvement, whereby exchange of idea and collaboration between economists, IT companies, representatives from the education and health care sector and the dialogue with the population is the central point. Furthermore, the integration of applications, especially in the health and mobility sector, is set as a goal in strategy of South Tyrol, which should be finalised by 2020/2025.
Slovenia	Integration / Innovation	It is predicated the telecommunication services will soon be connected with education, entrepreneurship, health, social, and other sectors, through the new e-solutions (e-education, e-health, e-government, etc.). With an exception of e-education (e.g. existing e-universities), now e-solutions are still in the process of development, and not yet at a stage where they could replace any of the existing services (e.g. making doctor’s appointments).

Health care

⁷³ A personal mobility ticket for pupils and students from the age of 6 until 26 years, that allows them to use the public transport of South Tyrol within South Tyrol as well as to Brennero and Trento. Children pay 20 € and Students 150€ a year.

Overview of the competencies in the field of Health care.

Health care	National level	Regional level	Subregional level	Local level
Austria	General principles at national level.	Planning and coordination of services.		
Switzerland	National regulation on some aspects like the Tarmed-tariffication.	Main responsibility, e.g. for planning of hospitals.		Municipalities sometimes intervene to create medical centres, support the settlement of general doctors etc.
Italy	General principles at national level.		Planning and coordination of services.	
France	General principles at national level.	Planning and coordination of services.		
Slovenia	General principles at national level.	None	None	
Germany	General principles at national level.		Planning of hospitals and general doctors at district level	

The competencies in the field of health services relies mainly on the regional and subregional level. Guiding principles are laid down on national level. The operationisation is carried out at local level.

For AG5 this means, that the regional and subregional level is the main level to deal with. The service providers and NGO's like associations of insurance companies, of doctors etc. play a very strong role. Innovative actions can be brought to live at local and subregional level.

Area	Type of governance	Good practice
Austria	Integration	The demand for a most quick medical treatment requires decentralisation corresponding with the respective settlement distribution and transport conditions. This spatial conflict of objectives leads to the establishment of a distributed system of different medical services. The responsibility of coordinating the health care system lies in the hands of the Federal Ministry of Health, whereas the mostly public carriers of hospitals are companies owned by the federal states, communities and social insurance institutions.
Switzerland	Roles and responsibilities	The Confederation and the cantons search together for a sufficient provision of medical services. General practitioners are given a special role in the provision of these services. The Confederation can therefore strive for a proper refund of their services. The refund goes through the Tarmed-Tarification system. This pricing is negotiated between the doctors, the insurance companies and

		others.
Switzerland	Innovation	Protected apartments for elderly people are being especially promoted in the future. Furthermore, projects in the field of cybersanté (cyberhealth) will be intensified in the next few years.
France	Innovation	In the digital field, many innovative projects are appearing focusing on the E-Health, production / prototyping with fab labs, data with the movement of Open Data, Infolabs... and they are supported by different calls for proposals, from both national and regional authorities, as well as call of projects financed by private foundations.
France	Integration	Sharing Inter-organizations in the field of health with multidisciplinary health houses or territorial hospital groups. (public partnership with association and all allied health professionals to set up a health project which brings together medical skills and resources and through these territorial hospital groups links them with university hospital center).
Italy (South Tyrol)	Roles and responsibilities	The reform concerning healthcare service in South Tyrol "Health2020" (Gesundheit2020) has been accepted by the provincial government, whereby its main objective is to strengthen the health care locally, with the objective of a demand-orientated and close to the resident; maintain the seven hospitals in the province even due to the shortage of specialists and financial means, resource consolidation and clear division of responsibilities as well as the optimisation of operational organisation and processes.
Italy (South Tyrol)	Innovation	The digitalisation (for instance the tele medicine) is developing the sector (improvement of online reservations for which the health care card is necessary). A personal card allows citizens to access to several services that can be managed online (i.e. download medical reports, book appointments, follow up on information on payments, it works as fiscal code).
Italy (South Tyrol)	Integration	There is a direct and indirect involvement and collaboration between private (i.e. Caritas) and public providers (district authority – Bezirksgemeinschaft, schools, social services, transportation services for disabled people and municipalities etc.).
Italy	Innovation	On the Regional website for Health Services, the Regional Card allows to download medical reports, to book visits and exams, to gather information on payments and exemptions, to change the GP, to auto-certify exemptions for tax accountancy. The RCS works as national health card, EU card for health insurance, and also as Fiscal Code card. Since 2013, the RCS has been merged with the National Card of Services. (<i>CRS, website</i>)
Slovenia	Integration	Within health services an interesting local initiative has been found in the remote areas of north-west Slovenia and in some other regions. The network of providers of the emergency services (namely for cardiopulmonary resuscitation) is connected to the network of fire brigade. Fire-fighters are trained to offer the first emergency services until the health support reaches the patient.

Social care

Overview of the competencies in the field of Social care.

Social care	National level	Regional level	Subregional level	Local level
Austria	General principles at national level.		Coordinated organisation of services.	Direct intervention of service providers.
Switzerland	General principles at national level.		Coordinated organisation of services.	Direct intervention of service providers.
Italy	General principles at national level.		Coordinated organisation of services.	Direct intervention of service providers.
France	General principles at national level.		Coordinated organisation of services.	Direct intervention of service providers.
Slovenia	General principles at national level.	None	None	Direct intervention of service providers.
Germany	General principles at national level.		Coordinated organisation of services.	Direct intervention of service providers.

The competencies in the field of social care services relies mainly on the subregional and local level. Guiding principles are laid down on national level. The operationlisation is carried out at local level.

For AG5 this means, that the subregional level would be the main level to deal with. The service providers and NGO's like associations of insurance companies etc. play a very strong role and can act as intermediaires. Innovative actions can be brought to live at local and subregional level.

Area	Type of governance	Good practice
Austria	Roles and responsibilities	The SSGI social services are being predominantly organised in national autonomy and their structure show a mostly spatial distinctiveness. The federal states and the local communities (in the organisational form as municipal associations too) play an important role in the delivery of social services. Accordingly, Austria is the organisational type of a multi-level welfare state, in which responsibilities are shared among several governmental levels and where the local level is of great importance for the delivery of SGI.
Switzerland (Jura)	Communication	The communication shall be improved by so called round tables constituted by representatives of municipalities and the canton du Jura.
Italy (Lombardy)	Innovation	Within its Digital Agenda, Lombardy has also recently defined the Guidelines for an electronic social record (<i>LR ESR, website</i>), thanks to which it will be possible to guarantee the interoperability of communications among all professionals and institutions involved in social care activities, and the integration with national databases.

Education

Overview of the competencies in the field of education.

Education	National level	Regional level	Subregional level	Local level
Austria	Regulation of tertiary education.	The Länder are responsible for secondary and partially for tertiary education.		Responsible for kindergartens and primary education.
Switzerland	Regulation of tertiary education and finances of federal universities, co financing of other higher education institutions and research.	The cantons are the main responsible for education.		Responsible for kindergartens and primary education.
Italy	Regulation of tertiary education.	The regions are responsible for secondary education		Responsible for kindergartens and primary education.
France	Regulation of tertiary education.	The regions are responsible for secondary education		Responsible for kindergartens and primary education.
Slovenia	Regulation of secondary and tertiary level.	None	None	Responsible for kindergartens and primary education.
Germany	Regulation of tertiary education.	The Länder are responsible for secondary and partially for tertiary education.		Responsible for kindergartens and primary education.

The competencies in the field of education are shared according to the level of education. The tertiary level is mainly regulated at national level with an important role in structuring the offers of the regional level. The secondary level is mainly regulated by the regions while the municipalities care for the primary level. This implies for AG5, that the actors are very different according to the education level at which the action is foreseen.

Area	Type of governance	Good practice
Switzerland (Jura)	Integration	The secondary school in Porrentruy is owned by the district. The school transport is performed in most cases by postal busses. A special offer to mention is the Bibliobus de l'université Populaire Jurassienne (bibliothèque mobile). The bus stops each day in a municipality without library.
Italy (South Tyrol)	Integration	The province consciously made decisions to invest a lot in infrastructures in this sector so that life in rural areas is maintained,

Synthesis of AG5 governance mechanisms

		which can only function due to the well-organised school transport for remote settlements, which is organised by the municipalities, but the province provides necessary funding. Schools in South Tyrol only are closed automatically if there are less than five children, which is not a political but administrative decision.
Italy (South Tyrol)	Integration	New models of integration have been imitated especially regarding school feeding, where the education, health care and basic goods sector collaborate (i.e. school feeding in elderly care homes, local retailers provide local products for the canteens).

3.2 Analysis of AG5 governance

The second part of the chapter will highlight how informal cooperation works in the AG, analysing strengths and weaknesses faced during these first two years of action. After a brief outline on the overall governance of EUSALP, interactions between AGs, between the AG and the Executive board and the General assembly will be examined, as well as the relations with the involved stakeholders. This description of the state-of-the-art of the governance of the group will be followed by a comparison with other macro-regional strategies (MRSs) enhancements. However, it is important to underline that the process of EUSALP, whose strategy was endorsed by the EU Council in 2015, is still in an initial phase so that the results found are still provisional and could see ameliorations already by 2020.

Before going in depth into the governance of the AG, a brief outline of the governance mechanisms of the MRSs of the European Union must be drawn.

EU macro-regional strategies governance

The governance of MRSs was sketched in a general manner by the *Report from the Commission to the European Parliament, the Council, the European Economic and Social committee and the Committee of the Regions concerning the governance of macro-regional strategies*⁷⁴. The term 'governance', in the sense adopted by the Commission, describes the process of implantation of the strategy: in details, it means the analysis of how this strategy is carried on and by whom, and what are the common initiatives planned and financed. Eventually, the fundamental elements of the governance are the involvement of the Member States, at a high political level, and the Commission, of the National Contacts Points (high level officials of each MS) and of the national experts, responsible for the different thematic areas.

In 2014, the Commission identified as suggestions to improve the four MRSs (EUSBSR,⁷⁵ EUSDR,⁷⁶ EUSAIR,⁷⁷ EUSALP) the necessity of solid political leadership, stronger decision-making capacity and greater clarity in the workflow. Once again, it was clarified that the development of a better governance should not be tied to new funds, new institutions and new rules ("three NOs rules"), but rather it should be related to a smarter use of existent resources and activities conducted by regional organisations already working on the territory.

Even though there is an agreement in stating that the formula "one size fits all" doesn't work for each macro-region, since every MRS has specific peculiarities, the Commission has, however, introduced a three-levels mechanism, from which macro-regions modelled their governance. These three interconnected levels are the following – Political/ministerial (strategic) level; coordination level; operational level – and exist in every macro-region.

The political level is the one responsible for the strategy, the one that decides the priorities and establishes the key issues. It is at this level that strategic guidelines are set and the most important decisions taken. At this plan, the European Commission has the role of facilitator, ensuring that the EU dimension is respected, supporting the main actors and actively contributing to the activity of reporting and evaluation. The National Contact Points have also a key role by collaborating on a regular basis with the national thematic experts and their governments in order to strengthen the formation of the decision-making process.

A strong and operational MRS requires professional and coordinated management, both at the national and at the macro-region levels. This level of coordination is the link between the political and implementation plan and is carried out through tasks such as the provision of operational guidelines, the evaluation of reports and performances, and cooperation with

⁷⁴ COM(2014)284 final. See also *Council conclusions on the governance of macro-regional strategies* (16207/14, Brussels, 28 November 2014)

⁷⁵ EU Strategy for the Baltic Sea Region

⁷⁶ EU Strategy for the Danube Region

⁷⁷ EU Strategy for the Adriatic and Ionian Region
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existing regional organizations. National Contact Points are important at this level as well, as they have the guidance of the coordination between regions and the state.

Those who deal with the day by day implementation of the strategy are the experts belonging to the thematic groups: at the operational level, the implementation of the MRS includes tasks to facilitate the creation and execution of initiatives and projects, the identification of objectives and indicators, the interrelation with the main financing programs. The members of the thematic groups must be officially designated by their own Ministry, or by another organization from which they come, receive a precise mandate and have sufficient funds, so that they can devote the time necessary to the strategy. Experts from the European Commission are also part of these thematic groups.⁷⁸

The governance model adopted by the macro-regional strategy for the Alps strongly mirrors the structure outlined by the 2014 Commission report: the three interconnected levels of governance - political/coordination/implementation - have been planned since the launch of the strategy with *the Commission Guidance Note on the 4th objective of the EUSALP Action Plan*⁷⁹ of 2015.

At the highest level, the political level, there is a General Assembly responsible for defining policy guidelines and strategic orientations for the strategy. The representatives of the States and the Regions participating in EUSALP, the European Commission, as a facilitator, and the Alpine Convention, as an observer member, compose this general assembly. The General Assembly deliberates through joint declarations (in occasion of the annual meeting), in which decisions regarding the projects and the main initiatives undertaken within the strategy are adopted. It also asks the Executive Board and the Action Groups to support the strategy's initiatives, recognizes the progress made and entrusts the Executive Board with the deployment of the necessary monitoring and reporting procedures. Decisions are taken by consensus.

In terms of coordination, the Executive Board, composed of seven national delegations chaired by a National Coordinator, of representatives of the Commission, as facilitator, and of the Alpine Convention and the Alpine Space Program, as advisors, oversees the overall coordination of EUSALP. The coordination is both vertical – within each state – and horizontal – between the different thematic objectives of EUSALP. This Executive Board must also collect reports produced by Action Groups and monitor that the strategy is implemented on a regular basis. To ensure consistency with the political level, the rotating presidency of the Executive Board coincides with the presidency of the General Assembly. The responsibility of the Executive Board is mainly to approve the proposals for actions that must be implemented to ensure the effective implementation of EUSALP, to validate the work plans and actions proposed by the leaders of each AG, to collect the reports of the Action Groups, and finally, to approve various proposals (for example evaluation, monitoring and possible revision of EUSALP) before these are submitted to the General Assembly.

At the operational level, the Action Groups deal with the daily implementation of the strategy. These are composed of representatives of national, regional or local administrations – empowered with the capacity to take decisions related to the subject matter of the group – and by advising guests. The Action Groups of EUSALP (9) are based on the three thematic policy areas of the strategy: 1) Economic Growth and Innovation; 2) Mobility and Connectivity; 3) Environment and Energy. There is a further cross-cutting policy area with the transversal objective of constituting a solid model of macro-regional governance for the Alpine region.

⁷⁸ For an in-depth study of MRSs in Europe see, GANZIE, S., KERN, K. Eds. (2016), *A Macro-Regional Europe on the Making: Theoretical Approaches and Empirical Evidence*, Palgrave McMillan

⁷⁹ I.e. Contribution of the European Commission for the 2nd Executive Board meeting (Koper, Slovenia, 26/27 September 2016). See also Guidance Note – EUSALP governance (Contribution for the Milano's SG meeting of the 8 and 9 October 2015 – Update for Brussels' SG meeting 20/11 and 1/12 2015, for Brd's SG meeting 26/01/2016 and for the Executive Board meeting 19-20/04/2016).
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The National coordinators (NCs) and the Objective coordinators (OCs) are also of particular importance in the architecture of EUSALP. The NCs, which come from the national or regional level, represent the position of their respective countries in the strategy, while at the same time monitoring the convergent opinions and decisions, to facilitate the implementation of EUSALP. Their role is to coordinate and support the planning and implementation of the strategy, which is also substantiated by encouraging stakeholder involvement. They must work together with the administrations participating in the thematic areas covered by the strategy in their state/region and with the managing authorities responsible for the implementation of the relevant European and national/regional programs. The OCs, on the other hand, are responsible for the thematic coordination between countries and must ensure the connection between different actions aimed at achieving the same objective.

AG5 composition

In order to better understand how cooperation works inside the AG, it is time to complete a mapping of all actors involved in AG5, dealing with connectivity and accessibility. Firstly, the actors coming from the 7 EUSALP countries and bearing a decision-making capacity in the AG will be described, then the attention will be drawn on informal actors gravitating around the group. In closing, the study will elaborate on further, potential stakeholders.

Institutional actors

According to article 2 of the 'Rules of Procedure for the Action Groups of the EU Strategy for the Alpine Region' (RoP), all AG members with decision making capacity (DMC) are officially nominated by the respective National Coordinator (NC) of the strategy. If a member doesn't belong to national or regional administration within the Alpine territory, it needs to have a clear confirmation from their nominating State/Region that they are entitled to speak and to take decisions in the name of their sending State/Region. This is the case of two actors of AG5, namely SAB and Trentino Network, that will be presented afterwards.

In each AG, upon invitation, guests or experts can participate to meetings, when they bring a clear contribution and added-value into the dialogue and the work of the group. A special role is dedicated to the EU Commission who plays an advisory role with a view to ensure compliance with the objectives of the strategy and consistency with EU policies and rules. Likewise, representatives of the Alpine Convention and of the Alpine Space Programme are members in advisory capacity.

In AG5, some institutional actors have also decision-making competences in the field of digital policies and in the connectivity framework. Representing Italy, indeed, and leader of the AG, the **Department of technological systems of Valle d'Aosta autonomous region** works in the field of digitalization and ultrafast broadband deployment. Another Italian actor with DMC and competence in the digital field comes from the other side of the Alps: **Trentino Network** is a public company managing communication networks of Trento Province and providing services to Trentino's public administrations and telecommunications carrier. The region of **Friuli-Venezia-Giulia** recently became an AG5 member with DMC. As for the Italian country, a representative of the Ministry for the Environment and another of the Ministry of Agriculture are also involved.

The co-leader of AG5 is **SAB**, the Swiss center for mountain regions (*Groupement Suisse pour les régions de montagne*). This is another case of member who doesn't come from a national or regional government since SAB is an association dedicated to defending and promoting the interests of mountains regions and rural areas, committed to guarantee the accessibility to high speed networks even in the most remote areas of the Swiss territory.

The German speaking part of the Alps is represented by the lander of **Bavaria** (the only one which participates to EUSALP). On the contrary, all nine landers of Austria are members of the EU strategy but the one taking part to AG5 is **Styria**. The French region **Auvergne-Rhône-Alpes**, with a delegate responsible for the **region's digital development**, is also part of the group. Lastly, the representatives of Slovenia, as a unitary State, come directly from the **Slovenian Ministry of Education, of Justice and Public administration**. Regrettably, the member appointed for **Liechtenstein**, from the Office of Economic Affairs, never took part to AG5 meetings.

The EU Commission contributes to the group as an observer with the involvement of an official coming from **DG REGIO**, i.e. the Directorate-General for Regional and Urban Policy, specifically from the dedicated unit 'Competence Centre Macro-regions and European Territorial Cooperation'. **DG CNECT**, the Directorate-General for Communications Networks, Content and Technology, is reasonably as well a member in advisory capacity.

Non-institutional/informal actors

Many informal actors and experts are involved in the activities of AG5: from companies to universities, from regional agencies to international organisations. These stakeholders bear an attention to the work which is carried out by the AG and, at times, they also collaborate with the two AG5 Subgroups, depending on the interests at stake: indeed, the 1st subgroup, led by the Department of technological systems of Valle d'Aosta is focused on technical elements; the second, directed by SAB, deals with integrated strategies for SGI. In order to better list all the stakeholders concerned with AG5 activities, the categorization will be outlined in relation the Subgroups initiatives: the informal actors that will be presented are gravitating around their work.

SUBGROUP 1: DIGITALISATION

The actual network of fibre-optical backbones still has some gaps in the alpine area. These gaps need to be overcome. The feasibility study for an Alpine fibre-optics backbone project will bring the Alpine ICT infrastructure capabilities in line with the alpine population needs in terms of digital exchanges and communication. This initiative is led by the Department of technological systems of Valle d'Aosta, which is already in touch with **Insiel**, the in-house ICT company for Friuli-Venezia-Giulia autonomous region. Contacts have also been made with **TOP-IX** (TORino Piemonte Internet eXchange), a non-profit consortium managing Internet Exchange in the North-Western part of Italy, as well as with **CSP** (Centro Supercalcolo Piemonte), a non-profit research center performing applied research and technology transfer in the ICT domain. Contacts with **Infranet S.p.A.**, a company supplying telecommunications networks and appointed for the management, planning and maintenance of the ICT infrastructure in the Bolzano province, were recently established.

An interaction with an official of the **World Bank** was also finalised, to understand which kind of technical assistance can be provided to ICT projects under the contract with the WB. Indeed, the WB provides assistance to the DG Connect in the framework of the Connected Community Initiative. The role of connectivity in the Alpine region is strategically important and constitutes a social and economic driver for the European growth, therefore an alpine fibre-optics backbone would surely be of great interest for the WB.

The digital 3D landscape model for the entire Alpine region lighthouse project, proposed by the Bavarian presidency of EUSALP, aims at transforming the current 2D landscape models and digital terrain models of the entire Alpine region into a consistent 3D landscape model. This 3D-landscape mapping is a highly sophisticated tool which will also help, for example, planning authorities and civil engineers in their planning tasks.

In the framework of this initiative, presented at the 2017 EUSALP Annual Forum,⁸⁰ Subgroup 1 worked with the **Technical University of Munich**, TUM, in partnership with **ARPA Piemonte**, Piedmont's regional agency for the protection of the environment.

Finally, the **University of Valle d'Aosta** is contributing to the work of the Department of technological systems of Valle d'Aosta with regard to the study of the EUSALP governance and EU financial instruments.

SUBGROUP 2: INTEGRATED STRATEGIES

'Smart villages' is an Alpine Space Programme project submitted by SAB, as technical lead partner, which aims at bringing together different stakeholders to improve quality of life in villages and small cities of the Alpine Space through more sustainable and integrated solutions facilitated by Information and Communication Technologies (ICT). The project won the 3rd call of ASP 2014-2020. The ERDF lead partner is the **University of Maribor**. The other project partners will come from Slovenia, Austria, Italy, Germany, France and Switzerland.

In the framework of the Alpine region preparatory action fund (ARPAF), recently, at the 2017 EUSALP Annual Forum, a project submitted by SAB, so-called 'CrossBorder: Cross-border mobility in the Alpine Region', was awarded a grant. The main objectives of the project are to establish an overview of cross-border mobility across the Alpine Region, with a focus on daily commuting, and to identify gaps in it with respect to infrastructure and soft factors. Participants to the project, together with SAB, will be the **Office of the Tyrolian Government** and, more importantly, **CIPRA International**, the non-profit and non-governmental international commission for the protection of the Alps.

Potential stakeholders

In order to enlarge the circle of actors interested to AG5 work, during the AG's activities, each member was asked to provide with contacts of potential stakeholders. In relation to Subgroup 1, stakeholders and experts interested in the feasibility study for an Alpine Backbone were found among companies, research centres, universities, regional agencies.

Civil society was also involved by means of a survey on the use of new technologies in the healthcare area and, more specifically, on the use of the Electronic Health Record in the Alpine region, carried out by the University of Valle d'Aosta in collaboration with the Autonomous Region of Valle d'Aosta, co-leader of the AG. The participation to the survey is – for the moment – positive; plus, it is an opportunity for AG5 to present itself to the Alpine population as well as to communicate what EUSALP is doing in the thematic area of connectivity.

Looking at the international level, further stakeholders of AG5 could be found in the trans-border cooperation organisation, whose work should be embedded in the macro-regional multilevel action: involving transnational working communities such as Alpe-Adria or Arge-Alp in the activities of the AG could be a first step towards the realization of this integration. Moreover, a collaboration with the Euregio Tyrol Alto-Adige Trentino should be pursued because of its high standing in cross-border cooperation. Plus, the Euregio Tyrol is the leader of AG4 which, given the thematic area related to mobility, is the closest AG to AG5 in terms of subject matters. Finally, due to the historic importance of the agreement for the Alpine chain, contacts with the Alpine Convention Working Group on macro-regional strategies should be made.

For what it concerns further potential stakeholders from the private sector, in particular when it comes to the study for the Alpine fibre-optic backbone, the AG could seek to involve TLC operators (Vodafone, Swisscom, etc.) and internet service providers, that could be interest

⁸⁰ 1st EUSALP Annual Forum, Munich 23-24/11/2017
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by the activities of the group. Companies working on laying down the actual connectivity infrastructures could be interested in being encompassed as well. For the advantage they could potentially take from the construction of a fibre-optic backbone research centres based in bordering Alpine regions, as well as technical universities, should also be included in the stakeholders' circle.

As regards to the AG's project on the digital 3D landscape model for the entire Alpine region, interested stakeholders can surely be national and regional planning authorities, environmental protection agencies, as well as civil and environmental engineers' associations around the Alps.

A detailed and up to date table illustrating all institutional (DMC members and observers) and informal actors and stakeholders of the AG5 can be found in Annex II.

AG5 governance system

When we talk about the governance of an action group we can refer to it as “operational governance”, i.e. the state-of-the-art of the daily implementation of the strategy. Since the beginning of the work of the AG, challenges were encountered in particular as for the participation at meetings. The lack of participation characterized the first meetings, in so much as the 3rd AG5 meeting, which was planned for the end of June 2017, had to be rescheduled for January 2018 due to the absence of the minimum number of members from different countries needed (which is four)⁸¹ to give validity to the decisions taken by the AG. The same set of difficulties related to the participation was also sometimes found during the meetings of the Subgroup 1 of the group.

This lack of participation, which constitutes a barrier to the correct development of the governance of the entire macro-region, is mainly related to resource limitations and institutional and personnel fluctuations, as highlighted as well by a 2017 COWI study commissioned by DG REGIO.⁸² Indeed, what was felt during these first two years of action of the AG is that the absence of representatives from each region is often due to budget and time limit. Participants, usually equipped by their local entities with scarce resources, are therefore not able to travel to the other side of the Alps for just one meeting. The opportunity to attend the meetings by videoconference helped increasing their attendance but some participants, probably even because of continue changes in the personnel of local entities, were still impossible to reach. Moreover, the AG members need to have a reasonable amount of time to discuss and develop the topics within the Action Group.

Beside the difficulty related to travel and accommodation reimbursement, for AG members it is complicated to ascribe the time worked for EUSALP within their businesses. Indeed, not every member belongs to the public sector and private actors – that can be part of AGs – have even a stronger need to record and report back the daily/weekly hours dedicated to the strategy.

Another challenge observed by AG5 leaders is to find the right interlocutor to discuss the subjects of the group: AG5, in fact, concerns accessibility and connectivity but not all group members are familiar with these topics. The leader of AG5 subgroup 1, which theme is very technical, often asked group members to be put in contact with an interlocutor coming from the same region/local entity but with a knowledge of the digitalization background. Unfortunately, this process always takes some time.

It is clear that limited resources and fluctuations in the personnel are critical factors for the success of EUSALP: in order to enhance collaboration, the political will to cooperate should be emphasized, overcoming hesitation and disinterest that perhaps are still common. In

⁸¹ Article 7.4 of the Rules of Procedure for the Action Groups of the EU Strategy for the Alpine Region (version 24 October 2016)

⁸² COWI, *European Commission DG REGIO, Study on macroregional strategies and their links with cohesion policy – final report*, November 2017
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order to do so, not only at the Region/State level the concept of the MRS should be reinforced, but the interrelations between the AGs and the Executive board (EB) and the National coordinator (NC) should as well be fostered. Plus, at the General assembly (GA) level, ministerial meetings, creating more political awareness, should be organised more frequently.

Currently, in fact, contacts between AGs' leaders and their NC are quite limited and, therefore, the EB is perceived by the AGs as a distant, detached entity. On the contrary, the EB, charged with the overall horizontal and vertical coordination of the strategy, should be very close to the work of the AGs, in particular through the NCs' activities. The role of the NC, thus, could be better detailed, envisaging recurring debates with the AGs' leaders and corresponding reports to the EB.

As for the relationships between AGs, after a first period of independent work and some difficulties in reaching other AGs, AG5 has recently started collaborating with AGs sharing adjacent policy fields. In particular, the ARPAF project "CrossBorder: Cross-border mobility in the Alpine Region" aims at providing a basis for future activities of AG5 and AG4. The activities of AG4, whose objective is to promote inter-modality and interoperability in passenger and freight transport, are really close to the ones of AG5 and this start of cooperation should be seen as a great opportunity for future benefits. Moreover, in the framework of the "Smart village" strategic initiative, AG5 organized a workshop during the EUSALP Annual Forum of Munich (23-24 November 2017) together with AG3 ("to improve the adequacy of labour market, education and training in strategic sectors") and AG9 ("to make the territory a model region for energy efficiency and renewable energy"). Collaboration between these three AGs is still at the beginning but, due to the importance of the subjects, it is already deemed to be fruitful.

At a higher level, some considerations on how the overall governance of the strategy is working should be delineated. As previously illustrated, the 2014 Report from the Commission concerning the governance of macro-regional strategies⁸³ outlines a general structure for all macro-regional structures, with three interconnected levels: political scale, daily implementation, coordination between the other two. As for EUSALP, the governance structure was already sketched in the 2015 Commission Action Plan,⁸⁴ which foresaw the three different levels as General Assembly, Executive Board, with National and Objective coordinators, and Action Groups. This eased considerably – differently than the other MRSs not equipped with a defined construction from the beginning – the process of development of a solid governance of the macro-region.

However, this governance structure could be strengthened. What has been found at the operational scale, that the participation to AGs is fluctuating and sometimes inadequate, can also be highlighted for the political level. More political awareness about EUSALP must be created, for example through ministerial meetings or joint declarations. If mountain issues appear to be still far from national politics, it is the duty of the local authorities leading the Action Groups to raise the attention on the macro-regional strategy to reach a stronger political backing which is necessary to get each regional agencies or ministries involved. This should as well lead to a macro-region where regions and local authorities have a stronger centrality.

A comparison with older MRSs is necessary, although not many indications can be drawn for EUSALP, because of its recent formation. What it is important to underline is that best practices developed by other MRSs must be taken on board.

⁸³ COM(2014)284 final

⁸⁴ COM(2015) 366 final, Commission staff working document, Action Plan accompanying the document COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS concerning the European Union Strategy for the Alpine Region
EUSALP Action Group 5

For example, the EUSDR has set up a Danube Strategy Point in Brussels, at the Representation of Bavaria to the EU, with the mission of improving the implementation process of the Strategy for the Danube Region and enhancing and strengthening the cooperation and interaction between various stakeholders in the region.⁸⁵ Furthermore, the DSP supports exchange among Priority Area Coordinators and National Coordinators in their tasks and promotes the Strategy predominantly at the European level. Plus, the DSP administers funds originating from the EU institutions in the framework of Technical Assistance for the Priority Areas in the EUSDR. Similarly, the EUSAIR priority axis "Supporting the governance of the EUSAIR", with the help of the ADRION program (corresponding to ASP/AlpGov), will be implemented through the EUSAIR Facility Point, which will be established by the Slovenian administration.⁸⁶

Given the difficulties encountered in implementing the governance of EUSALP, a Strategy or Facility Point, easing cooperation, interactions with stakeholders and administration of funds, seems an essential action to take soon.

⁸⁵ See <http://www.danube-region.eu/contact/danube-strategy-point>

⁸⁶ See <https://www.adriatic-ionian.eu/about-eusair/facility-point/>

4. Wrap-up: a governance system for the EUSALP

The governance study of AG5 describes the actual governance systems in most thematic fields relevant for SGI, e-services and connectivity. The analysis of the different models and processes shows that four topics could be considerably improved regarding the governance of EUSALP:

- Innovation
- Roles and responsibility (subsidiarity)
- Communication
- Integration

4.1 Innovation

An interesting approach, which can be included in territorial plans, is the promotion of innovative SGI experimentations. The innovation is coming from two new kinds of SGI approach: the first is a bottom-up way to design SGI policies, to let an entire place to users, citizens, start-ups companies in the co-construction of the needs and the way to design the service. The second innovation has come with the digital revolution. Health, social care, transport and regional development are impacted by new digital practices and potentials. But this revolution could be only controlled by few global giant stakeholders if there are no public funded policies to support citizens in a digital empowerment.

Awareness of the opportunities and benefits of ICT should be raised, in general and in terms of the potential of ICT to provide for an effective integration of SGI in mountain areas. Some form of mistrust in “new technologies” and their possible benefits and usability for local populations appears to be still rather widespread. In this sense the constructive dialogue and an effective communication between the regional level has to be structured.

Local competences on ICT must be strengthened, in particular as regards digital competences, e-inclusion, e-citizenship, and e-leadership. The spread of e-competences is paramount for local professionals, from public servants to GPs, transport managers and technicians, educators, and social care providers.

At international level, EUSALP could represent an interesting opportunity for integration and for the enhancement in the provision of SGI to mountain areas only if a better governance system and the necessary funds are provided.

4.2 Roles and responsibilities

The different points of view and sectoral approaches of national, provincial and local policies prevent joint planning policies concerning the integration of SGI. The regional level seems to be the most important one (at the levels of districts or municipal associations) when it concerns uniting the practical cooperation of adjacent SGI sectors and their participants.

The biggest problem is the widely spread responsibility in quite all decision levels. The involved actors have recognized the problem and consider this problem in the strategies on one hand, but the implementation of the projects, which are partly defined in the strategy or the elaboration of the next steps (for example in the field of broadband, education), is very difficult due to the many responsible offices and different decision levels.

A specific office which oversees the development of integration between the public service at a regional level could solve this important issue (see Carinthia office). The most important task is the coordination of all the different strategies and guidelines that are in force in every SGI. The Office of the Carinthian Government implemented a separate office to enhance the different strategic development concepts (STRALE!K, MOMAK,...). This office should work on the realization of these different strategies in the future and contribute to the preservation of rural areas. In Switzerland, the regional conferences also play that role. They are an efficient EUSALP Action Group 5

intermediate between municipalities, the canton and the confederation. They received extensive competencies from the canton. Most likely the tool of cantonal structure plans represents an integration model in Switzerland since they define how the many activities of the Confederation, the Canton and the municipalities which have a spatial impact are to be harmonized with each other in the area. They have been elaborated in a participatory manner, involving stakeholders of different levels and background. Most of them - such as the one of canton du Jura - indicate for each subject (public transport, schools, sports, shopping center development etc.) the different departments (horizontal integration) and levels (canton/municipalities, vertical integration) involved. The structure plan is legally binding for the canton and the municipalities.

4.3 Communication

In the end, such a coordinate approach depends not only on the respective strategy but even more on cooperation and communication between the different stakeholders on the ground. It is noticed that foster dialogues, working groups and round tables are very beneficiary for integrative SGI approaches. Cultivating environments that: facilitate knowledge-pooling, simplify decision making, engage more local communities and integrate local expectations, is one way to start.

The methodological bases of a territorial SGI plan are to share information about the organization of SGI (shared directory, open data about providers and SGI delivery); to encourage territorial stakeholders to coordinate their actions in order to reach the same goal, answer to the population needs; and last trying to make them share and then be able to be present in every remote area (by sharing a common front office for example).

In the field of the different SGI, most of the providers focus on their own public, own users and competences to deliver their services. The consequence is, for example, that it is really complicated to elaborate a multi-modal policy because every part of a journey is under the responsibility of a different stakeholder (for example combine train and rent of electric bikes).

Basically, there is a lack in effective communication and dialogue between the policy makers at different levels, from the European to the national to the regional and to the local one.

4.3 Integration

To avoid or solve this lack of oral cooperation, a better vertical implementation of SGI declarations at the European level might succeed by taking a more space-sensitive approach. The principles of the Open Method of Coordination as well as subsidiarity have proven to be successful concerning the vertical political interrelationships between the EU and their member states in many areas. A stronger positioning of space-relevant strategies from the outset would be beneficial for the SGI objectives.

Comparable living conditions by means of an overall coverage in all parts of a country is becoming more and more unrealistic in times of tight public budgets. Inter-municipal cooperation and public as well as private forms of cooperation are established models for the organisation of SGI, particularly in sparsely populated, rural regions. The communication and mobility services play a vital role, as they are feeder canals leading to the more and more sparsely distributed facilities of the social services SSGI.

Coordinative and cooperative approaches of spatial planning and regional policy are only then useful for an integrated SGI supply, if they can be effectively positioned across sectoral competences. However, these instruments should be applicable to the respective sectoral needs and incentives should be given for a cross-sector planning - for example, of multifunctional SGI locations. However, if individual sectoral policies act according to their own spatial ratio, a spatially integrative, location-oriented and accessibility-based planning across SGI sectors cannot be achieved (as in Humer 2014).

At regional level, there is a clear effort to create a robust background for integration activities, encouraging especially the use of ICT as the privileged means to provide for a concrete

integration. More efforts are needed for mountain areas, where morphological, demographic and, consequently, market characteristics, still prevent from a factual investment in the integration of the provision of SGI. However, the capacity of local areas to self-organize, and the attention of the region to the specificities of mountain areas, should be treasured in order to create the adequate background to encourage further SGI integration practices, and to create a more robust and organic policy framework on the integration of SGI.

Finally, there are needs for both better horizontal and vertical cooperation. The decision makers should constantly cooperate with the providers as well as recognize the needs of users for the services (bottom-up approach), create constructive dialogue, and obtain feedback information from them (e.g. social policy, health policy, transport, regional development). Horizontally the providers of services for the same target group (e.g. the elderly) but different sectors (e.g. health services, social services) should be coordinated.

5. Implications and recommendations for the Work of EUSALP and especially AG5

The topic of Services of general interest and connectivity concerns all hierarchical levels. According to the relevant topic, it may either be regulated at EU, national, or subnational level. Innovative actions are mainly carried out at a regional or local level. Up to now, there has been no strategic approach to SGI in the alpine area covering all different institutional levels and actors, nor to e-services. EUSALP with its multilevel-governance approach is therefore the right instrument to close this gap.

Due to the diversity of the topics and the multitude of actors (especially when thinking of the service providers), it is extremely difficult to associate all relevant stakeholders directly to the work of EUSALP and its AGs. The AGs, in this particular case AG5, must strive to be representative for the stakeholders. As previously illustrated, AG5 is since its start in 2016 mainly composed of institutional actors, mostly coming from the regional level. A strength of AG5 is the associated Alpine Think Tank on SGI which encompasses also researchers, service providers and representatives from national, regional and local authorities.

Nevertheless, the extension of the work of AG5 to other actors not directly involved either in the AG or in the Think Tank is a challenge. This must be overcome by public events, media relations, targeted information to the stakeholders, ministerial conferences and so on.

AG5 has already developed quite some strategic actions. It is carrying out a work on CrossBorder Mobility for commuters. This work which runs from 2018 to 2019 is financed by the European Parliament through the so called ARPAF-Fund. It lays the ground for future work of AG5 and AG4 (mobility). AG5 has also been successful in submitting an Alpine Space Program project called Smart Villages. This project runs from 2018 to 2020. AG5 is also working in a third strategic initiative on a feasibility study for an alpine fibre optics backbone. The work in the first two projects is orientated on an impact and on experience on local level but has also a strategic dimension for the whole alpine area. AG5 will strive to make the recommendations and findings out of these experiences available for all alpine actors.

From a practical point of view, some suggestions for improvements of the so-called “operational governance” can be already sketched easily from the outline delineated in the previous chapter, especially when it comes to the lack of participation of group members at meetings.

One solution to solve the incapacity of AGs to take decisions is to modify the Rules of Procedure for the Action Groups of EUSALP (art. 7.4): instead of requiring at least the presence of four members from 4 different countries at meetings to allow decision making, one could think of a percentage of 80% of group members or the participation of at least 4 regions coming from 2 different countries. By doing so, indeed, the implementation of the AG’s activities would be in the hands of the members which are effectively involved in EUSALP.

Another solution, to contain the problem of budget limitation, could be that most of the activities of the AG would be carried out by the various AG’ subgroups (obviously via videoconference as well). The AGs, with DMC, would then endorse the contributions already prepared. This procedure could streamline the work of the AG, simplify the decision-making process and encourage group members to participate to meetings.

Once again, to strengthen the political will around EUSALP, ministerial meetings, at the GA level, should be organised frequently until more political awareness, leading also to better participation to AGs, would be reached.

At a higher level than the AGs fieldwork, a reflection on which direction the Strategy should take is as well necessary. EUSALP could become, as it appears now, an international arena where different projects related to the Alpine arch are discussed, planned and directed, following specific guidelines fixed at the GA level in order to fulfil the main objectives of the Strategy. EUSALP could then be seen as a sort of Alpine Space Programme where all projects submitted need to comply with the thematic policy areas delineated by the General Assembly (fixed – at the moment – in Economic Growth and Innovation; Mobility and Connectivity; Environment and Energy) in order to fulfil the objectives envisaged for the strategy.

However, more remarkably and yet not explored, EUSALP could progress toward the development of an institutional setting where interests and queries of the Alpine area are promoted ahead of the EU institutions. With the agreement and involvement of all regions and States participating, EUSALP could therefore be used to share common (Alpine) issues and needs that can be then presented to the Commission, as a request for funds or new rules, more adapted to the Alpine context. EUSALP could turn out as a concrete and useful tool for regions to bring Alpine problems and questions to the centre of the EU institutions, even by influencing the creation of EU law-making. This potential institutional setting, recalling the bottom-up approach that led to the creation of EUSALP, could, in particular, constitute an interesting challenge for regions to gain a stronger role in the strategy and towards the EU institutions. Indeed, to put forward common needs to the EU Commission, regional authorities could take advantage of EUSALP by lobbying, for mountain issues, jointly in Brussels.

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List of abbreviations

AG	Action Group
DMC	Decision-making capacity
EB	Executive Board
EPCI	Etablissements Publics de Coopération Intercommunale
EU	European Union
EUSALP	EU Strategy for the Alpine Region
ICT	Information and communication technologies
GA	General Assembly
INTESI	Integrated territorial strategies for services of general interest
MRS	Macro-regional strategy
NC	National coordinator
NGO	Non-governmental organisation
OC	Objective coordinator
SAB	Swiss lobbying for mountain regions
SDT	Territorial development service
SGI	Service of general interest
SME	Small and medium-sized enterprise
SSGI	Social services of general interest
TA	Target area

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