

Cross-Border Civic Participation Portal: Actively Shaping Border Regions

Sarah Herrmann

University of Applied Sciences Kehl

herrmann@hs-kehl.de

<https://orcid.org/0009-0006-5856-4900>

Michael Frey

University of Applied Sciences Kehl

frey@hs-kehl.de

<https://orcid.org/0000-0001-7573-3186>

Abstract

Border regions in Europe are increasingly characterised by functional integration in everyday life, while democratic participation and digital participation infrastructures largely remain confined to national frameworks. This paper examines how a cross-border digital citizen participation platform for border regions could be designed, using the Upper Rhine as a case study. It asks which functions such a platform should fulfil, which criteria it must meet, and how it should be institutionally and legally structured. The analysis combines conceptual discussion with an examination of existing participation instruments and cross-border governance arrangements in the European Union, Germany, France, and the Upper Rhine region. It shows that most existing cross-border platforms remain limited to information provision and, at best, consultation, while genuine citizen empowerment is largely absent. The paper argues that cross-border digital participation cannot simply replicate national models but requires a hybrid architecture combining formal, legally embedded procedures with low-threshold informal mechanisms. A viable platform therefore needs multilingual access, hybrid online-offline formats, transparent feedback mechanisms, and stronger legal foundations for cross-border consultation.

Keywords: Digital citizen participation; E-participation; Cross-border governance; Border regions; Upper Rhine; Franco-German cooperation; Participatory platforms

Introduction

In Europe, border regions are not merely administrative peripheries, but functionally integrated living spaces where people cross borders daily to work, shop, seek medical care, or maintain family ties. In the Upper Rhine region, one of Europe's most densely interconnected border areas, tens of thousands of people commute daily between Germany, France, and Switzerland. And yet: when it comes to participating in political decisions affecting this shared living space, the available participation portals stop at the border, precisely where the reality of people's lives has long ceased to be national.

This problem forms the starting point of this study. In recent years, digital citizen participation platforms have become an important instrument of democratic participation at the national and local levels. They offer low-threshold access to consultation processes, enable the submission of citizen proposals, and make political decision-making processes more transparent. Yet this progress simultaneously reproduces a structural gap: Participation infrastructures are almost without exception geared toward national or subnational legal frameworks and end at the national border. To the extent that digital participation offerings exist at all in cross-border contexts, they are often project-based, short-term, and institutionally disconnected. They represent fragmented, isolated solutions rather than a coherent participation architecture. Furthermore, existing cross-border portals are limited in content to institutional reporting and the provision of information; genuine citizen participation in the form of interaction, consultation, or even co-decision-making remains marginal.

Against this backdrop, this thesis poses the following research question: How should such a platform for border regions be specifically designed, both functionally and legally?

The aim of this thesis is twofold. In terms of content, it examines which participation formats, functional modules, and quality criteria a cross-border citizen participation portal requires in order to move beyond the current stage of mere information provision (e-enabling) and enable genuine political co-determination (e-empowering). From a legal perspective, the study examines the existing legal foundations and the need for reform to institutionally anchor cross-border citizen participation, particularly through amendments to the legal bases for cross-border consultations in the respective sector-specific laws, utilising the instruments of cross-border-friendly legislation: opening clauses and mutual recognition of participation procedures. The possibilities and limitations of this legal framework will be examined in the course of the study at the bilateral level (Treaty of Aachen, Articles 12 and 13).

Methodologically, the study follows the principle of “form follows function”: It is not the existing legal frameworks that determine what is possible, but rather the functions desirable from a democratic perspective that define the standard against which legal feasibility is measured. First, the theoretical foundations and existing forms of participation at the EU, national, and cross-border levels are examined, before Chapter 5 analyses concrete platform examples and cross-border participation approaches. Building on this, Chapter 6 systematizes the central challenges and develops proposals for design, both functionally and legally. Chapter 7 concludes with a summary and an outlook on the need for further research and action.

Methodological Approach

This study employs a qualitative, document-based analytical approach to examine the current state of cross-border digital citizen participation in the Upper Rhine region. Rather than relying on primary data collection through interviews or surveys, the analysis draws on publicly available institutional documents, official platform content, legal texts, and academic literature to systematically map and evaluate existing participation instruments.

Case selection criteria

The institutions and platforms analyzed in Chapter 5 were selected according to three criteria. First, a geographic focus criterion restricted the sample to institutions and digital offerings that explicitly address the Upper Rhine region as a cross-border space, spanning Baden-Württemberg and Grand Est. Purely national or subnational platforms without a cross-border mandate were excluded from the core sample. Second, a temporal criterion required that the examined instruments be operational and publicly accessible at the time of research (2026). Third, an accessibility criterion limited the sample to platforms and institutions with a publicly documented digital presence (website, portal, or online service), ensuring that the analysis could be conducted transparently and reproducibly on the basis of available documentation.

Analytical framework

Each selected institution or platform was evaluated along two complementary dimensions. The first dimension applies Macintosh's three-stage e-participation model (Macintosh, 2004, p. 2–3) to classify the functional depth of citizen involvement offered by each instrument. The second dimension categorises each instrument according to the formal/informal/financial typology developed in Chapter 4, distinguishing legally codified participation procedures from voluntary, dialogue-oriented formats and from financially mediated forms of civic engagement. Combining both dimensions allows the analysis to capture not only how much participation an instrument enables, but also its institutional and legal status.

Data sources and limitations

The empirical basis for this classification consists exclusively of secondary sources: official websites, annual reports, strategy documents, and legal texts (e.g. the Treaty of Aachen, regional statutes) rather than interviews, surveys, or other primary data collection with platform operators or citizens. This document-based approach allows for a systematic, transparent, and comparable overview of the existing participation landscape, but it does not capture user experience, actual usage intensity, the perspectives of platform administrators or the Franco-German legislative process within ministries and parliamentary administrations.

Terminology and Theoretical Framework

Terminology

The term **e-government** essentially refers to the use of information and communication technologies (ICT) in the context of governance and administration. According to Jörn von Lucke and Heinrich Reinermann, e-government encompasses “the handling of business processes related to governance and administration (government) using information and communication technologies via electronic media” (von Lucke & Reinermann, 2002, p. 1). A similarly broad definition is provided by the OECD’s, according to which e-government encompasses the use of new ICT across the entire spectrum of governmental and administrative functions—from the provision of administrative services and policy-making to internal administrative structures and processes. (OECD, 2001, p. 2)

E-participation refers to the involvement of citizens in political decision-making processes through the use of ICT. It is considered a subset of e-government with a particular focus on citizen participation and democratic processes. The best-known academic definition comes from Sæbø, Rose, and Flak, who describe e-participation as an ICT-mediated social activity that includes interaction between citizens, public administration, and political actors. (Sæbø, Rose, & Flak, 2008, pp. 400–401) This definition emphasises the triangular relationship between citizens, administration, and politics as the central level of actors. (Le Blanc, 2020, p. 4) The United Nations defines e-participation as the process of engaging citizens through ICTs in policy, decision-making, and service design and delivery so as to make it participatory, inclusive, and deliberative. (United Nations, 2014, p. 61)

Ann Macintosh distinguishes three levels of e-participation: e-enabling (provision of information), e-engaging (consultation), and e-empowering (active co-decision-making). (Macintosh, 2004, p. 2–3) This classification is based on the classic participation model developed by Arnstein (1969), who distinguished eight levels of participation on a “Ladder of Citizen Participation”—ranging from mere manipulation through information and consultation to genuine citizen control. (Arnstein, 1969, p. 217)

Levels of E-Participation

Research on e-participation distinguishes between various levels of participation that describe the degree to which citizens influence political processes. The best-known and most widely used international model of e-participation levels was developed by Ann Macintosh (Macintosh, 2004, p. 2–3) and was adopted by the United Nations as the conceptual basis for its E-Government Survey. (United Nations, 2014, p. 63) The model distinguishes three sequential stages—E-Enabling, E-Engaging, and E-Empowering—which range from passive, informational participation to active co-decision-making.

Stage 1 – E-Enabling (Provision of Information):

The first and most basic stage describes the one-way provision of information by government agencies to citizens via ICT. Macintosh describes this stage as a prerequisite for all further forms of participation: citizens are enabled to understand political processes and participate in them, without, however, actively intervening in decisions themselves. (Macintosh, 2004, p. 3) Typical tools include public information portals, newsletters, official documents, and databases. United Nations studies summarise this stage under the term “e-information,” which they define as the provision of relevant and timely online information to citizens. (United Nations, 2014, p. 63; United Nations, 2022, p. 199 ff.)

Level 2 – E-Engaging or E-Consultation (Consultation and Dialogue):

At the second level, a two-way exchange takes place between the government and the public. Government agencies actively solicit opinions, feedback, and suggestions from citizens, but retain the final decision-making authority. Macintosh describes this level as a government-led (top-down) initiative in which citizens are consulted on specific topics. (Macintosh, 2004, p. 3) Typical tools include online surveys, comment functions on government portals, digital hearing procedures, and moderated discussion forums. United Nations studies refer to this stage as e-consultation, defined as the involvement of the public in political debates and draft decisions through ICT. (United Nations, 2022, p. 200)

Stage 3 – E-Empowering (Co-decision-making and Empowerment):

The highest stage goes beyond consultation and empowers citizens to actively shape—and, in some cases, co-decide—political processes. Macintosh defines this as encompassing both government-sponsored and civil society-initiated (bottom-up) approaches, in which citizens and civil society organizations can set their own agendas and hold political decision-makers accountable. (Macintosh, 2004, p. 3) Typical instruments include participatory budgeting, participatory planning platforms, collaborative policy development, and digital petition systems with binding effect. The United Nations refers to this stage as e-decision-making, understood as an active partnership between government and citizens in the decision-making process.

As mentioned above, the three-stage model is conceptually based on Sherry Arnstein’s classic model of participation. In her “Ladder of Citizen Participation,” Arnstein distinguished eight levels of participation, which she divided into three main groups: non-participation (manipulation, therapy), degrees of tokenism (informing, consultation, placation), and degrees of citizen power (partnership, delegated power, citizen control). (Arnstein, 1969, p. 217) Arnstein’s central argument is that participation without actual decision-making power does not constitute genuine citizen participation, but remains merely a symbolic gesture by those in power. (Arnstein, 1969, p. 216–224) The application of this fundamental idea to the digital realm by Macintosh and the United Nations makes it clear that technological possibilities alone do not guarantee a shift in decision-making power; the decisive factor remains the political will for genuine citizen participation.

Policy Areas

E-participation is applied in a wide range of policy areas and is not limited to a single sphere of government action. It is particularly widespread at the local level, as the proximity between citizens and concrete planning decisions is especially pronounced there. (AKDB, 2025; Höhn, 2019) Studies show that the overarching goal of most local e-participation formats, regardless of the specific topic, is to increase the transparency of political decision-making processes. (Forschungsgruppe Lokale Partizipation, 2026)

The most prominent policy area is **urban and spatial planning**. Digital participation platforms are used to involve citizens in zoning procedures (Digitalzentrum Bau, n.d.), transportation planning, housing projects, and the design of public spaces. A prime example of this is the Hamburg project “FindingPlaces” (City Science Lab der HafenCity Universität Hamburg, n.d., p. 1–2), in which interactive digital city models (so-called CityScopes) were used in cooperation with the MIT Media Lab to involve citizens in the search for suitable sites for housing refugees. Similar approaches have been examined in Baltic cities, where ICT-supported participatory methods have been tested in municipal planning. (Akmentina, 2023, p. 624–657)

Another key policy area is **climate and environmental protection**. According to a recent study (2026), traffic development, climate protection, and noise action plans are the dominant topics in digital citizen participation formats in major German cities. (Forschungsgruppe Lokale Partizipation, 2026) Digital platforms make it possible to involve citizens in the development of municipal climate protection strategies or the planning of green spaces, as they offer low-threshold forms of participation that are independent of location and time.

E-participation is also gaining importance in the areas of **public health and healthy urban development**. The Healthy Cities movement emphasises that public participation and cross-sectoral collaboration are crucial for creating sustainable and equitable cities. Digital technologies expand the possibilities for interaction between residents and planners and open up both one-way and two-way forms of communication; however, complementary analog formats, such as workshops, remain necessary for deeper participation involving the joint development of solutions. (Shrestha, Hasselder & Bolte, 2024, p. 316–323)

Furthermore, e-participation is used in the area of **municipal budget planning** (participatory budgeting or digital participatory budgeting (AKDB, 2025)), where citizens can submit proposals online regarding the use of public funds and vote on priorities. (Höhn, 2019; Le Blanc, 2020, p. 9 ff.) In addition, digital participation formats are applied at the municipal level in the areas of defect management (Maerker Brandenburg, n.d.) and infrastructure development (Fixmycity, n.d.). Overall, these examples demonstrate that while e-participation is widely applied across various topics, its actual effectiveness depends heavily on the political will of the respective institution to grant citizens genuine opportunities for co-determination.

Formal, Informal, and Financial (Digital) Participation in the EU, Germany, France and cross-border

Citizen participation can be broadly divided into three categories: formal, informal, and financial participation. This distinction is fundamental for both analog and digital forms of participation and provides the framework for classifying the respective country-specific instruments.

Formal citizen participation

Formal citizen participation refers to all forms of political participation that are enshrined in law and proceed according to clearly defined legal rules, deadlines, and procedures. Citizen participation takes place within the framework of prescribed participation rights and obligations, and the state is required to formally consider or respond to the results. (Heinrich-Böll-Stiftung, n.d.) Formal participation procedures are often primarily aimed at those directly affected, follow established quorums, and have a legally binding or at least legally recognised effect.

European Union

At the EU level, citizens have access to several formally established tools through which they can participate in European policymaking.

Public consultations by the European Commission are a key instrument of EU citizen participation. The European Commission is required to conduct an open public consultation when drafting new legislation and policy initiatives. This typically takes place via the “Have Your Say” online platform, which enables low-threshold, digital participation by all EU citizens. (European Commission, n.d.-b)

European Commission Green Papers are consultation documents that the Commission publishes on a specific policy area (also on the “Have Your Say” platform (European Commission, n.d.-b)) to spark a broad debate among citizens, institutions, and interest groups. They constitute a formal invitation to comment and often serve as a preliminary step toward concrete legislative proposals, which are subsequently described in white papers. (European Commission, n.d.-a)

The European Citizens’ Initiative (ECI), as set forth in Article 11(4) TEU, Article 24(1) TFEU, and Regulations (EU) No. 211/2011 and (EU) 2019/788, is the only instrument of direct democracy at the EU level. (European Parliament, n.d.) It enables a transnational group of at least one million citizens from at least seven Member States to formally request that the European Commission submit a legislative proposal. (European Citizens’ Initiative, n.d.) The ECI is considered one of the most important institutional innovations in European democracy, as it enables, for the first time, the direct participation of citizens in the European legislative process. (Bouza García, Cuesta-López, Mincheva & Szeligowska, 2012, p. 2) Critics note that, in practice, the ECI is used more by organized

civil society with transnational networks than by individual citizens; furthermore, a successful ECI does not guarantee a binding legislative response from the Commission. (Hinz, 2018, p. 5–6; Cuesta-López, 2012, p. 5–6)

Germany – federal state Level (Baden-Wuerttemberg)

At the state level, the Constitution of Baden-Württemberg (Verfassung des Landes Baden-Württemberg, Art. 59) has provided for instruments of direct democracy since 1952, which were strengthened in 2015 by a constitutional amendment. (Landeszentrale für politische Bildung Baden-Württemberg, n.d.-b)

The petition for a referendum (*Volksbegehren*) is a three-stage process of direct popular legislation at the federal state level. To file an application for approval, at least 10,000 signatures from eligible voters are initially required; for the actual referendum, at least one-tenth of eligible voters in Baden-Württemberg must then sign the initiative. Once this hurdle is cleared, the state parliament is obligated to consider the draft bill. In addition, the 2015 constitutional reform introduced the citizens' petition (*Volksatrag*): This requires only approximately 39,000 signatures (0.5% of eligible voters) within 12 months and can be submitted on any topic within the state parliament's purview. (Beteiligungsportal Baden-Württemberg, n.d.-c) Digital participation in the referendum via online signature is not yet legally possible; however, the State Councilor for Digitalization continues to push for a corresponding legislative amendment. (Stuttgarter Zeitung, 2025)

The referendum (*Volksabstimmung*) is the final stage of the process and takes place if the state parliament does not approve a referendum as submitted. The law is considered adopted if a majority of voters approve it and at least 20% of all eligible voters have voted "yes." (Beteiligungsportal Baden-Württemberg, n.d.-c)

France – Regional Level

Since its constitutional enshrinement in 2003 (Constitution française, Art. 72-1; Code général des collectivités territoriales, Arts. LO1112-1 to LO1112-14-2, R1112-1 to R1112-17), **the Référendum local** (local decision-making referendum) has been the only instrument in France that grants citizens binding decision-making authority at the municipal and regional levels outside of election periods. (Magni-Berton & Premat, 2026) It allows the municipal council to submit certain municipal decisions to a direct vote by citizens. For the result to be binding, at least half of eligible voters must have cast a ballot, and a majority of the votes cast must be in favor of the decision; otherwise, the result is merely consultative. (Code général des collectivités territoriales, Art. LO1112-7; Magni-Berton & Premat, 2026) In practice, however, this instrument is rarely used, as the costs of organization and financing must be borne entirely by the respective local authority. (Code général des collectivités territoriales, Art. LO1112-5; Magni-Berton & Premat, 2026)

The Regional Economic, Social, and Environmental Council (*Conseil Économique, Social et Environnemental Régional CESER*) is a formal advisory body at the regional level that has existed in its current form since 1972 and has also held environmental responsibilities

since 2010. (CESER de France, n.d.) The CESER of the Grand Est region, formed in 2016 through the merger of the CESERs of the former regions of Alsace, Champagne-Ardenne, and Lorraine, is the region's second regional assembly and is composed of representatives of organised civil society (businesses, trade unions, associations, public figures), (CESER Grand Est, n.d.; Code général des collectivités territoriales, Art. R4134-1) who are appointed for six years by prefectural decree. (Code général des collectivités territoriales, Art. R4134-6) The CESER must be consulted on draft budgets, regional planning documents, and framework programs; in addition, it may be consulted by the Regional President on any regional issues and may also address topics it considers strategic. (Code général des collectivités territoriales, Art. L4241-1) As an advisory body, the CESER does not make binding decisions, but is regarded as an indispensable partner in shaping regional policy and as an expression of participatory dialogue in the Grand Est region. (République française, 2023)

Cross-border level

The **Treaty of Aachen** (*Traité d'Aix-la-Chapelle*) entered into force on January 22, 2020, and is the currently valid bilateral framework agreement for Franco-German cooperation. It is intended to replace the Élysée Treaty of 1963, and its fourth main section is explicitly dedicated to regional and cross-border cooperation. Of particular relevance to citizen participation are Article 12 (Franco-German Citizens' Fund for the promotion of citizens' initiatives and town twinning), Article 13 (promotion of relations between citizens, the role of local authorities and other local actors in implementing cross-border projects, targeted funding to overcome obstacles in the implementation of cross-border projects, and the adoption of legal and administrative provisions, including exemptions).

The **Franco-German Citizens' Fund** (*Deutsch-Französische Bürgerfonds*) established in April 2020, which emerged from Article 12, specifically supports Franco-German civil society projects and citizens' initiatives, thereby serving as a formally established instrument of cross-border citizen participation. (Deutsch-Französischer Bürgerfonds, n.d.-b)

Informal citizen participation

Informal citizen participation refers to all forms of political engagement that are not required by law, (Beteiligungsportal Baden-Württemberg, n.d.-a) which is why it is also called voluntary citizen participation. (Beteiligen Sachsen, n.d.) These initiatives are usually launched voluntarily by politicians, government agencies, or civil society itself and can be freely designed in terms of their selection, structure, and timing. (Landeszentrale für politische Bildung Baden-Württemberg, n.d.-a) Its key advantage over formal procedures lies in its flexibility: Informal participation can begin early on, even before statutory procedures are initiated, and can include a broader range of people, including those not directly affected. It is strongly dialogue-oriented and aims to enable citizens and decision-

makers to exchange arguments and develop solutions together, with the administration often assuming a moderating, neutral role. (Beteiligungsportal Baden-Württemberg, n.d.-a; Landeszentrale für politische Bildung Baden-Württemberg, n.d.-a)

Common forms of informal citizen participation (Beteiligungsportal Baden-Württemberg, n.d.-a; Landeszentrale für politische Bildung Baden-Württemberg, n.d.-a) include:

- **Citizen forums and citizen dialogues:** open discussion formats in which citizens discuss specific local or political issues.
- **Citizen councils and citizen expert panels:** groups composed of randomly selected or representative members who develop recommendations on political issues.
- **Future workshops and planning cells:** structured participation formats for the collaborative development of potential solutions.
- **Online platforms and digital consultations** (e.g., *Baden-Württemberg Beteiligungsportal* (Beteiligungsportal Baden-Württemberg, n.d.-b), *adhocracy+* (Adhocracy+, n.d.)): low-barrier digital participation tools through which proposals can be submitted, commented on, and evaluated.
- **Citizen panels:** opinion research tools at the local level designed to engage citizens who are not yet active in civic life.

Adherence to quality criteria is crucial for the legitimacy of informal procedures; these include fairness, transparency, autonomy in opinion-forming, and the traceability of how participation results are taken into account. (Landeszentrale für politische Bildung Baden-Württemberg, n.d.-a)

Financial citizen participation

Financial citizen participation refers to forms of political and social participation in which citizens contribute not only substantively but also financially to projects or public decision-making processes. It combines civic engagement with economic participation and takes two main forms in local and regional contexts. (Lenk, Rottmann, Grüttner & Albrecht, 2013, p. 23)

Participatory **budgeting** is the best-known form of financial citizen participation in the public sector. First tested in 1989 in Porto Alegre (Brazil), it allows citizens to submit proposals for the use of municipal budget funds and vote on priorities; in many municipalities, this is now done via digital participation platforms. Since the term “participatory budgeting” has become an umbrella term for various procedures, the actual opportunities for citizen participation vary greatly from municipality to municipality. (Deutsches Institut für Urbanistik, 2023)

Citizen financing and crowdfunding represent another dimension of financial citizen participation, in which private small investors or citizens co-finance municipal projects—for example, in the areas of urban development, renewable energy, or infrastructure—through loans, equity investments, or donations. This financial participation fosters a special sense of identification with the project, which strengthens its public perception and social acceptance. (Deutsche Gesellschaft für Innenentwicklung, n.d.) In the German context, the concept of financial civic participation is also frequently used in connection with energy cooperatives and the energy transition, in which citizens become co-owners of energy generation facilities and thus acquire not only a financial return but also co-determination rights. (Kahla & Maly, 2022, p. 9–16)

Analysis of cross-border platform examples or participatory approaches in border regions

Cross-border German-French platforms in the Upper Rhine region

In the Upper Rhine region, there is a multitude of cross-border institutions and digital offerings that address citizens. The vast majority of these operate at the lower levels of e-participation according to Macintosh (Macintosh, 2004, p. 2–3), that is, at the level of e-information (Level 1) or, at most, e-consultation (Level 2), and are predominantly informal in nature. Only the Franco-German Citizens’ Fund represents a formally established instrument with active participatory potential.

The following analysis consistently applies the analytical framework developed in the previous chapters (level and type of (e-)participation) to all institutions examined in order to enable a comparable assessment.

Institution / Platform	Type	E-participation level	Service / Function
FRED.info (FRED.info, n.d.)	Informal, digital	Level 1 – E-Information	First bilingual German-French citizen portal (BW / Grand Est, since March 2023); aggregates institutions, events, current topics, everyday information, funding opportunities; no consultation or participation mechanism
Infobest (INFOBEST, n.d.)	Informal-institutional, analog + digital	Level 1 – E-Information	Four bi/trilateral advisory centers in the Upper Rhine region; over 24,000 inquiries annually; since 2024, also digital support for filling out online applications (INFOBEST 4.0); no citizen participation in the strict sense; citizen information

Institution / Platform	Type	E-participation level	Service / Function
Committee for Cross-Border Cooperation (AGZ) (Ausschuss für grenzüberschreitende Zusammenarbeit, n.d.)	Formal, institutional	Level 1 – E-Information	Operational since January 2021; connects national and regional representatives from both countries; addresses everyday barriers faced by the border population; no direct citizen participation structure
Eurodistricts: Strasbourg-Ortenau (Eurodistrict Strasbourg-Ortenau, n.d.) PAMINA (Eurodistrict PAMINA, n.d.) Basel (Trinationaler Eurodistrict Basel, n.d.) Freiburg Region – Central and Southern Alsace (Eurodistrict Region Freiburg – Centre et Sud Alsace, n.d.)	Informal-institutional	Level 1–2 – E-Information + E-Consultation	Digital platform for networking cross-border stakeholders; online voting; Eurodistrict Convention as a citizen dialogue; limited commitment
Upper Rhine Conference (Oberrheinkonferenz, n.d.)	Formal-institutional	Level 1 – E-Information	Oldest political cooperation body in the Upper Rhine region (founded in 1975); brings together national and regional representatives from Germany, France, and Switzerland; website provides specialised information on 12 working groups (climate protection, health, disaster relief, etc.); primarily aimed at institutional actors, no citizen participation in the strict sense

Institution / Platform	Type	E-participation level	Service / Function
Trinational Upper Rhine Metropolitan Region (TMO) (Trinationale Metropolregion Oberrhein, n.d.)	Formal-institutional	Level 1 – E-Information	Umbrella organization for four pillars (politics, business, science, civil society); its own TMO Strategy 2030; no , no dedicated budget, no dedicated digital participation platform; civil society is structurally integrated as a pillar, but there is no direct citizen consultation or co-decision-making
RegioTriRhena (RegioTriRhena, n.d.)	Informal-institutional	Level 1 – E-Information	Coordinates projects in the economy, labor market, culture, and environment; website provides information on projects and networks, but does not offer digital participation opportunities for citizens
TRION-climate e.V. (TRION-climate e.V., n.d.)	Informal, expert stakeholders	Level 1 – E-Information	Trinational association (DE/FR/CH) (since 2015); network of approx. 100 members from the energy and climate sectors; no general opportunities for citizen participation
TRISAN (TRISAN, n.d.)	Informal-institutional, experts	Level 1 – E-Information	Trinational Competence Center for Health Cooperation (since 2016); primarily targets experts, informs citizens
Frontaliers Grand Est (Frontaliers Grand Est, n.d.)	Informal, digital	Level 1 – E-information	Legal information platform for cross-border workers; no opportunity for participation
German-French Citizens' Fund (Deutsch-Französischer Bürgerfonds, n.d.-a)	Formal/ financial, digital + institutional	Levels 1–2 – E-information + limited e-consultation	Civil society funding instrument; advises, networks, and finances projects; online applications accepted year-round; anchored in Art. 12 of the Treaty of Aachen

The overview shows that while the institutional landscape in the Upper Rhine region is dense and diverse, its digital dimension remains almost exclusively focused on providing information. INFOBEST and FRED.info fulfill important aggregation and orientation functions for the border population, but offer neither consultation nor co-decision mechanisms. TRION-climate and TRISAN are specialised platforms primarily aimed at

institutional actors and thus remain outside the scope of general citizen participation. Consequently, not a single instrument in the Upper Rhine region reaches Level 3 of e-participation (*e-empowering*) in the sense of political co-determination. The Franco-German Citizens' Fund, the region's only formally established civil society funding instrument, does enable financial citizen participation via a digital platform, but offers no influence on political or administrative decision-making processes. This structural gap between informative digitization and genuine digital co-creation is a central argument for the need for an independent cross-border citizen participation platform.

In addition to legal and institutional barriers, the persistently low level of participation in the instruments examined can also be explained by administrative culture. Using the Upper Rhine region as an example, Beck (Beck, 2022, p. 82–97) shows that Germany, France, and Switzerland differ significantly in key administrative cultural dimensions, such as communication style, power distance, discourse and problem-solving orientation which structurally complicates cooperation between the participating administrations. These differences not only affect interstate institutional cooperation but also shape how easily digital participation formats can be jointly designed and established across borders: A French, more centralised understanding of administration clashes with a German, federally fragmented system, each with its own expectations regarding formality, binding nature, and decision-making speed. According to Beck's contingency model (Beck, 2022, p. 98), the influence of administrative culture is not constant but varies depending on the policy area, degree of institutionalization, and type of actor: In the case of more formalised, cross-sectoral tasks involving low levels of mutual trust, as would typically be the case when establishing a new cross-border participation platform, the cultural influence is particularly high. This further explains why none of the instruments examined to date has gone beyond the level of simply providing e-information or limited e-consultation. Establishing a common, binding participatory structure requires not only legal adjustments but also overcoming well-established, nationally shaped administrative routines.

Common Ground – Robert Bosch Stiftung

A particularly relevant example is the “Common Ground – Shaping the Future Across Borders” program, which was funded by the Robert Bosch Stiftung from 2022 to 2025 during a pilot phase and coordinated and supported by the nexus Institute. (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 1) The program funded eight cross-border projects in German border regions, including the project “R(h)einverbindlich / Liaisons rhénans Emmendingen / PETR Sélestat-Alsace Centrale” between Germany and France. (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 3) The central objectives were to test cross-border deliberative participation processes, build capacity in politics and administration, and create sustainable participation structures in the border regions. (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 1–2) Thus, Common Ground should be understood less as a technical single-platform solution and more as

an institutionally framed approach to developing cross-border participation architectures. (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 15–16)

The evaluation documents specific challenges of cross-border participation, particularly language barriers, differing participation cultures, divergent legal frameworks, and asymmetrical administrative structures. (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 3–4) These approaches demonstrate that border regions are increasingly viewed as autonomous spaces for democratic co-governance, yet they also show that operational implementation often remains project-based and is not consolidated into a unified digital portal. (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 1)

Common Ground - R(h)einverbindlich / Liaisons rhénanes – Emmendingen District & PETR Sélestat-Alsace Centrale

The project “R(h)einverbindlich – Liaisons rhénanes” is one of eight cross-border regional projects funded by the Robert Bosch Stiftung’s Common Ground program and the only explicitly Franco-German project in the pilot phase. It was carried out from 2022 to 2025 jointly by the district of Emmendingen (Baden-Württemberg) and the French planning and local government association PETR Sélestat-Alsace Centrale, which are connected by the Rhine over a length of 18 kilometers. (Tebel-Haas, 2024)

The starting point and symbolic heart of the project was the Rhine island between Marckolsheim (F) and Sasbach (D), a former customs facility that had been abandoned for decades. (Robert Bosch Stiftung, n.d.-b) The project used this specific location as a starting point to facilitate cross-border citizen participation on four key themes: sustainable mobility, renewable energy, biodiversity, and healthy and local food. (PETR Sélestat-Alsace Centrale, n.d.)

In a total of 23 events—including three citizen forums, hands-on activities, bike trips to the Rhine island, climate brunches, landscape conservation days, and online surveys—over 1,100 citizens on both sides of the Rhine were actively involved. All formats were designed to be bilingual, and knowledge of the neighboring country’s language was explicitly not a prerequisite for participation. (Tebel-Haas, 2024) Depending on the format, the project ranges from Level 1 to the approach of Level 3 according to Macintosh (Macintosh, 2004, p. 2–3). Online surveys and informational events are classified as Level 1 – E-Information, as they involve one-way information dissemination or opinion polling without an obligation to provide feedback. The citizen forums for idea generation are classified as Level 2 – E-Consultation, as they involve consulting citizens on specific topics and incorporating the results directly into project design. Concrete proposals from citizens regarding project design, however, represent the beginning of Level 3. Citizens develop ideas intended for implementation, though without formal decision-making obligations.

The project revealed key areas of tension in cross-border citizen participation. On the French side, public institutions played a leading role, while on the German side, there was a greater reliance on volunteer engagement. Furthermore, it became apparent that, despite considerable efforts, a representative random selection of participants was difficult to achieve in Germany. (Robert Bosch Stiftung, n.d.-a)

In response to these challenges, the project increasingly relied on everyday, low-threshold formats—such as joint bike tours, climate brunches, and orchard maintenance—that make the European idea tangible and thus also reached citizens who had previously been less engaged. (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 14; Robert Bosch Stiftung, n.d.-a)

The project is thus exemplary of a hybrid, location-based participatory approach: it combines digital (online surveys) and analog (citizen forums, participatory activities) formats, anchors participation in a specific symbolic location (PETR Sélestat-Alsace Centrale, n.d.) and links civil society initiatives with institutional anchoring in the local governments of both countries.

Challenges and Opportunities for a Cross-Border Citizen Participation Platform

Challenges

An analysis of existing approaches and platform examples makes it clear that cross-border digital citizen participation faces a specific set of challenges that go far beyond the general difficulties of national participation processes. As the scientific support for the Common Ground program notes, this amounts to “participation squared” (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 13 ff.): The familiar challenges of good participatory processes are multiplied in a cross-border context by language, culture, law, administration, and space.

Language and Communication

To enable equal participation, there simply must be no language barriers. While simultaneous translation at larger events is essential, it is expensive and resource-intensive; moreover, it can give the event the atmosphere of an international conference and become an additional barrier for target groups with limited educational backgrounds. (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 5–7) The Common Ground evaluation also documents that internal project communication should take place in the local languages and not in English. (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 5) For digital platforms, this necessitates a fully multilingual user interface—not as an optional add-on, but as

a structural prerequisite for participation, as exemplified by, the platforms Infobest (INFOBEST, n.d.), FRED.info (FRED.info, n.d.), the Franco-German Citizens' Fund (Deutsch-Französischer Bürgerfonds, n.d.-a), and many others.

Different Cultures of Participation

In addition to language, socio-cultural differences in participatory culture have a lasting impact on cross-border cooperation. In the Franco-German context of the Upper Rhine, it should be noted that while there has been an increase in deliberative participatory processes in France, political representatives still often perceive participation as a challenge to their democratic legitimacy. (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 8) A cross-border platform must conceptually take these differing understandings of participation into account and offer low-threshold formats that are culturally accessible.

Different legal systems and administrative structures

Structural differences in legal frameworks—such as those governing data protection, environmental law, and land-use planning, as well as those pertaining to citizen participation itself—have a significant impact on cross-border participatory projects. In federal systems like those of Germany, Belgium, or Switzerland, regions and municipalities enjoy considerable autonomy in shaping policy, whereas in unitary states such as France, municipalities function primarily as administrative units. This has direct consequences for the binding nature of participation outcomes: ideas developed with citizens are not politically binding, and the likelihood that they will not be implemented increases if the issues fall outside the decision-making authority of the participating municipalities, districts, or regions. (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 9 ff.) In their comparative study on e-participation platforms in seven European countries, Randma-Liiv et al. (2022) point out that diffuse ownership structures and unclear responsibilities, particularly in multi-level governance contexts, are among the most common causes of failure for e-participation initiatives. (Randma-Liiv, 2022, p. 1037)

Sustainable citizen participation rather than a project-based approach

Cross-border citizen participation in Europe has so far taken place predominantly within the framework of time-limited funding projects. Where digital participation portals exist, they are designed for the short term and lack institutional coherence; they represent fragmented, isolated solutions that neither build on one another nor can develop a shared user base. For citizens, this means: engagement is hardly worthwhile if the platform goes offline once the project ends and the proposals developed remain without an institutional home.

A credible cross-border citizen participation platform must therefore be permanently institutionalised with clear sponsorship, secure funding, and defined responsibilities on both sides of the border. Only in this way can participation evolve from an exceptional state to a democratic norm in the border region.

Trust, Commitment, and the Risk of Tokenism

A lack of political commitment and uncertainty regarding how to handle participation outcomes are general challenges that are amplified in a cross-border context: Since the involvement of multiple countries multiplies responsibilities, authorities, and levels within politics and administration, citizens' commitment and trust tend to diminish. The Interreg Europe Policy Brief by Morisson and Ferrario identifies the risk of tokenism, that is, symbolic participation without genuine influence on decisions, as one of the central threats to trust in participatory processes. (Morisson & Ferrario, 2025, p. 6) Successful participation must therefore ensure that citizen contributions are actually incorporated into decisions and that this connection is communicated transparently.

Reaching Target Groups and Digital Inequality

Marginalised groups face multiple barriers to access: language, the digital divide, and logistical constraints overlap. The Common Ground accompanying research succinctly summarises this: “For cross-border participation, especially at our border, practically everyone is hard to reach.” (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 13 ff.; Morisson & Ferrario, 2025, p. 12) For a digital platform, this means that exclusively digital formats have a structurally exclusionary effect and that hybrid participation options are indispensable.

Methodological Approach: Form Follows Function

The aim of the following design proposals is to further develop cross-border citizen participation in the Upper Rhine region beyond the currently dominant Level 1 (E-Information) and move toward Level 3 (E-Empowering), that is, toward formats that enable citizens to have a genuine say and political empowerment. As the preceding analysis has shown, nearly all institutional offerings in the region remain at the level of information provision or, at best, selective consultation, without citizen contributions having a binding effect on political decisions. A shift is needed from informal information to formal consultation and joint decision-making.

Methodologically, the design proposals follow the principle of “form follows function”: rather than starting from existing legal frameworks and deriving what is possible from them, the first step is to ask, from a functional perspective, what specific participatory functions a cross-border portal would need to fulfil in order to meet the requirements of inclusive, multilingual, and politically effective citizen participation. Only in a second step is it examined which of these functions can be realised within existing legal systems, German, French, and European law, and where, if necessary, legal adjustments, bilateral or

multilateral agreements, or new institutional foundations would be required. This approach has the advantage that it is not constrained from the outset by legal path dependencies, but rather takes what is desirable from a democratic perspective as its starting point and treats legal feasibility as a subsequent, yet necessary, condition.

Functional and Content-Related Design Options

Multilingual infrastructure: The platform must be designed as a fully multilingual system, at a minimum in German and French. Machine translation tools can be used as a supplement, but they do not replace human editing of multilingual content. Models such as FRED.info demonstrate that such an approach is technically feasible but requires institutional maintenance.

Hybrid participation formats: The Interreg Europe Policy Brief explicitly recommends prioritising hybrid formats that combine traditional in-person consultations with innovative digital tools to reach a broader audience. (Morisson & Ferrario, 2025, p. 6) A platform that is accessible exclusively online cannot guarantee inclusive cross-border participation. Rather, it should function as a digital infrastructure for hybrid processes: online idea submission and voting as preparation for in-person formats, location-based mapping features, and digital recording of in-person events.

Early political engagement and clear feedback mechanisms: Political engagement and the early involvement of all relevant bodies are crucial for cross-border participation. For a platform, this means that every opportunity for participation must be linked to a clearly communicated feedback mechanism that shows how citizen contributions have been incorporated into decisions; otherwise, there is a risk of losing trust.

Possible areas of cross-border citizen participation:

Type of participation	Topic area / Example in the Upper Rhine region	Level of e-participation	Type of participation	Note
Cross-border petition / citizens' initiative	Cross-border commuter issues, infrastructure projects, environmental protection	Level 3 – E-Empowering	Formal	Comparable to the European Citizens' Initiative; requires an addressee with decision-making authority

Type of participation	Topic area / Example in the Upper Rhine region	Level of e-participation	Type of participation	Note
Online consultation on land use planning / urban planning	Cross-border zoning plans, agglomeration programs	Level 2 – E-Consultation	Formal	Already provided for in national legal systems; legally complex at the cross-border level (based on the Espoo Convention)
Participatory budgeting / citizen's budget	Joint micro-project fund for border municipalities, continuation of the Franco-German citizens' fund approach	Stage 3 – E-Empowering	Financial	Citizens' funds as an institutional model
Cross-border citizens' assemblies	Climate protection in the Upper Rhine region, healthcare, mobility	Stage 3 – E-Empowering	Informal	Model: French Convention Citoyenne pour le Climat (CESER)
Online platform for ideas and suggestions	Everyday problems in the border region (explain your obstacle), local suggestions for improvement	Levels 2–3 – E-Consultation / E-Empowering	Informal	No obligation to provide feedback; only Stage 2
Environmental impact assessment with public participation	Cross-border infrastructure, industrial projects (e.g., power plants, landfills)	Stage 2 – E-Consultation	Formal	Already regulated by the Espoo Convention (1991) and the EIA Directive (2014/52/EU); expansion to e-consultation possible
Local Agenda / Sustainability Participation	Cross-border climate strategies, TRION-climate topics	Stage 2 – E-consultation	Informal	Model: Local Agenda 21 (Kuhn, 1998); can be enhanced digitally via map functions and comment tools

Type of participation	Topic area / Example in the Upper Rhine region	Level of e-participation	Type of participation	Note
Cross-border urban development / citizen participation in planning processes	Eurodistricts	Level 2 – E-Consultation	Formal / Informal	Formal citizen participation in urban planning procedures regulated differently in Germany and France; informal formats easier to implement
Student participation / Youth participation	Cross-border school projects, DFJW programs	Level 2–33 – E-Consultation / E-Empowering	Informal	Low-threshold, particularly suitable as an entry-level format for a cross-border platform
Cross-border town hall meetings (hybrid)	Cross-border commuters, border communities, Eurodistricts	Level 2–3 – E-Consultation / E-Empowering	Informal	Hybrid implementation (in-person + digital) as a best practice from Common Ground
Citizens' petition / referendum (adapted)	Cross-border issues with sufficient signatories	Stage 3 – E-Empowering	Formal	Legally complex: different thresholds and effects in Germany and France; long-term option
Statement on cross-border funding programs	Participation in Interreg programs, Cohesion Fund	Stage 1–2 – E-Information / E-Consultation	Formal	EU partnership principle (Art. 8 Framework Regulation 2021/1060) requires civil society participation, but is rarely accessible digitally
Cross-border citizen reporters / participatory journalism	Documentation of everyday problems in the border region (e.g., FRED.info supplement, explain your obstacle)	Level 1–2	Informal	Low-threshold, trust-building, feasible without a legal basis

Legal options

The legal feasibility of a cross-border citizen participation platform depends crucially on which normative foundations already exist, where gaps exist, and which legislative adjustments would be conceivable in the short to medium term. The following analysis follows the “form follows function” approach outlined in the previous section: It examines which legal instruments enable the functionally necessary participation formats and highlights where further legal reforms are necessary.

The central bilateral legal framework for a Franco-German citizen participation platform is the Treaty of Aachen.

Article 12 obligates both countries to establish a joint citizens’ fund intended to promote citizens’ initiatives and city partnerships aimed at bringing the two peoples closer together. This fund has since been institutionalised as the Franco-German Citizens’ Fund and operates via a digital application platform. However, as outlined in Chapter 4, it does not constitute an instrument of political citizen participation but should be understood as a funding instrument for civil society initiatives.

Article 13 is the decisive legal basis for a more comprehensive cross-border citizen participation framework. Paragraph 1 contains a political commitment to strengthening cross-border cooperation with an explicit focus on simplifying the daily lives of border residents. Particularly significant is paragraph 2, which explicitly assigns local authorities and cross-border institutions such as Eurodistricts appropriate powers, resources, and expedited procedures for the implementation of cross-border projects, and as a last resort even opens the possibility of adapted legislation, including exemptions. Amending the legal bases for cross-border consultations in the respective specific sectoral laws using the tools of cross-border-friendly legislation would be a solution.

These so-called experimental and opening clauses and mutual recognition (Berrod & Frey, n.d., p. 47 ff.) could provide a solution for the legal framework of a cross-border digital citizen participation platform: they allow for the creation of deviating legal solutions for the border region, to the extent permitted by national constitutional orders and EU law. (Frey & Herrmann, 2023, p. 78) In this context, France has already established a constitutional experimental clause through Articles 37-1 and 72 of the Constitution (introduced by the *Loi 3DS*), which permits regional deviations from national standards. (Conseil d’État, 2019, p. 10)

While this example shows that experimental opening clauses can be enshrined in law, the mere constitutional possibility does not guarantee practical implementation. The “form follows function” principle advocated here assumes that the legal framework for cross-border participation procedures must be aligned with democratically desirable functions, not the other way around. However, this normative starting point must not obscure the fact that existing legal frameworks themselves are the result of established institutional practices and political negotiation processes. Adapting form to function is therefore not a purely technical process but encounters structural resistance: Germany and France differ

not only in their federal and centralised administrative architectures, respectively, but also in their legal traditions regarding the codification of citizen participation. Opening clauses and the mutual recognition of participation procedures therefore require not only the political will to reform, but also a willingness to renegotiate established divisions of authority between the federal government, the states, the nation, and the regions, a process whose complexity is already evident from the many years it took to negotiate the Treaty of Aachen itself.

This critique can be theoretically grounded by drawing on Beck's concept of 'horizontal subsidiarity'. (Beck, 2022, p.119–124) Beck argues that the principle of subsidiarity in the European integration debate is almost exclusively understood vertically, as the relationship between the EU, national, and regional levels under Art. 5(3) TEU. Yet it originally carries a horizontal dimension: the smaller, more specialised unit should take precedence over the larger unit if it can perform a given task equally well or better. Applied to the cross-border context, this implies that the 'smaller unit' (such as a cross-border participation platform) should take precedence over the national 'parent systems' where it can resolve a cross-border task more effectively than separate national handling. Horizontal subsidiarity thus provides a normative framework that legitimises opening clauses and mutual recognition not merely as pragmatic administrative tools, but as the expression of a coherent subsidiarity-based principle. Notably, Beck himself points out that these considerations were already taken up by the German and French legislators in the Treaty of Aachen form 2019, underscoring the compatibility of this concept with the existing legal architecture of Franco-German cooperation. At the same time, Beck stresses that horizontal subsidiarity presupposes that the smaller unit is institutionally, materially, and functionally equipped to actually perform the task. A condition that, in the case of a newly established cross-border participation platform in the Upper Rhine region, would still need to be met.

Since an in-depth empirical examination of these negotiation dynamics is not the focus of this thesis, this aspect is identified in the conclusion and outlook as a topic for future research.

Conclusion and Outlook

This paper has examined how a digital cross-border citizen participation platform for the Upper Rhine region could be designed and what legal, institutional, and functional conditions must be met for this. The analysis has shown that the prerequisites for this are both promising and structurally challenging.

At the conceptual level, Macintosh's three-stage model of e-participation provides the decisive framework: cross-border citizen participation in the Upper Rhine region has so far taken place almost exclusively at Stage 1 (e-information). The analysis of the institutional landscape, from FRED.info to INFOBEST and the Eurodistricts, all the way to the Trinational Upper Rhine Metropolitan Region, has made it clear that not a

single existing instrument enables politically effective co-determination in the sense of Level 3 (e-empowering). The structural gap between informative digitization and genuine democratic co-determination is thus the central finding of the platform analysis.

The Robert Bosch Stiftung's Common Ground program, and in particular the R(h) einverbindlich / Liaisons rhénanes project between the district of Emmendingen and the PETR Sélestat-Alsace Centrale, simultaneously demonstrate that cross-border deliberative participation is practically possible, albeit so far in a project-based, time-limited, and institutionally non-permanent manner. Overcoming precisely this boundary between a valuable model project and a sustainable participatory architecture is the actual task at hand.

The challenge analysis has made it clear that technical functionality alone is not enough. Language, differing cultures of participation, asymmetrical administrative structures, the risk of tokenism, and the difficulty of reaching target groups multiply in a cross-border context to create "participation squared" (Robert Bosch Stiftung & com.X – Institut für Kommunikation und Management, 2025, p. 13 ff.). This reveals a fundamental insight that extends beyond the Upper Rhine region: Digital cross-border citizen participation cannot simply mirror national participation models or be transferred to the border region. Instead, it requires hybrid formats, that combine formal, legally binding procedures with low-threshold, informal mechanisms, thereby enabling broader, more inclusive participation by the population on both sides of the border. Practice to date in the Upper Rhine region has shown that formal instruments alone are too rigid and informal approaches alone too non-binding to ensure sustainable democratic co-determination. Only their targeted combination creates the conditions for citizen participation that goes beyond symbolic involvement.

Legally, the Treaty of Aachen—in particular Article 13(2) with its experimental and opening clause—and the French Constitutional Articles 37-1 and 72 introduced by the *Loi 3DS* provide a robust, albeit as yet unused, legal basis for cross-border deviations from national law.

Two conclusions can be drawn for further research and practical discourse:

First, platform development should follow the "form follows function" principle: functional requirements such as multilingualism, hybrid formats, transparent feedback, and local intermediaries must determine the design, rather than the available legal frameworks restricting what is functionally possible. Specifically, this means making formal participation procedures—such as consultations on spatial planning and infrastructure projects—digitally accessible, while simultaneously integrating informal formats like participatory budgeting, idea and petition platforms, and location-based participatory features as two complementary, non-competing channels for participation.

Second, cross-border citizen participation requires political will at the national level, which has been lacking thus far. Arnstein's fundamental insight from 1969 remains unchanged in the cross-border digital space: participation without actual decision-making power remains a symbolic gesture. (Arnstein, 1969, p. 216–224) The legal instruments

of the Treaty of Aachen and the democratic potential of the Upper Rhine region are in place; what is missing is their consistent activation by political leaders on both sides of the border.

Third, it remains to be seen how the “form follows function” principle advocated here can prevail against the inertia of existing legal traditions. Further research is needed, in particular, regarding the political and administrative resistance that stands in the way of adapting the legal framework to participatory functions that are desirable from a democratic perspective. Empirical studies, for example, based on expert interviews with stakeholders in the Franco-German legislative process within ministries and parliamentary administrations, could provide deeper insights into the specific dynamics of negotiation and thus provide an empirical foundation for the normative arguments presented in this thesis.

References

- Adhocracy+. (n.d.). <https://adhocracy.plus/>
- AKDB. (2025, June 23). *Durch digitale Bürgerbeteiligung die kommunale Zukunft mitgestalten*. AKDB. <https://www.akdb.de/newsroom/ereport/2-2025/durch-digitale-buergerbeteiligung-die-kommunale-zukunft-mitgestalten/>
- Akmentina, L. (2023). E-participation and engagement in urban planning: Experiences from the Baltic cities. *Urban Research & Practice*, 16(4), 624–657. <https://doi.org/10.1080/17535069.2022.2068965>
- Arnstein, S. R. (1969). A ladder of citizen participation. *Journal of the American Planning Association*, 35(4), 216–224. <https://doi.org/10.1080/01944366908977225>
- Ausschuss für grenzüberschreitende Zusammenarbeit. (n.d.). <https://agz-cct.diplo.de/>
- Beck, J. (2022). *Horizontal Integration: An Administrative Science Perspective on Cross-Border Cooperation in Europe*. Nomos. <https://doi.org/10.5771/9783748914044>
- Beteiligungsportal Baden-Württemberg. (n.d.-a). *Informelle Beteiligung*. <https://beteiligungsportal.baden-wuerttemberg.de/de/informieren/beteiligung-verstehen/kommune/informelle-beteiligung>
- Beteiligungsportal Baden-Württemberg. (n.d.-b). *Startseite*. <https://beteiligungsportal.baden-wuerttemberg.de/de/startseite>
- Beteiligungsportal Baden-Württemberg. (n.d.-c). *Volksbegehren und Volksabstimmung*. <https://beteiligungsportal.baden-wuerttemberg.de/de/informieren/moeglichkeiten/land/volksbegehren-und-volksabstimmung>
- Berrod, F., & Frey, M. (n.d.). *Art. 13 Abs. 2 des Vertrags von Aachen – Möglichkeiten, Grenzen und Anwendung in der Praxis*. Nomos.

Beteiligen Sachsen. (n.d.). *Die informelle Bürgerbeteiligung*. <https://www.beteiligen.sachsen.de/die-informelle-buergerbeteiligung-7368.html>

Bouza García, L., Cuesta-López, V., Mincheva, E., & Szeligowska, D. (2012). *The European Citizens' Initiative – A first assessment* (Bruges Political Research Papers No. 24). https://www.coleurope.eu/sites/default/files/research-paper/wp24_eg_0.pdf

CESER de France. (n.d.). <https://www.ceserdefrance.fr/>

CESER Grand Est. (n.d.). <https://www.ceser-grandest.fr/>

City Science Lab der HafenCity Universität Hamburg. (n.d.). *Digitale Partizipation in der Stadtplanung*. <https://www.dialoggesellschaft.de/wp-content/uploads/2018/04/Artikel-CityScienceLab-Finding-Places%20.pdf>

Code général des collectivités territoriales. (n.d.).

Conseil d'État. (2019). *Les expérimentations: Comment innover dans la conduite des politiques publiques*. Études du Conseil d'État.

Constitution française. (n.d.).

Convention on Environmental Impact Assessment in a Transboundary Context. (1991/2002).

Cuesta-López, V. (2012). A preliminary approach to the regulation on European Citizens' Initiative from comparative constitutional law. In L. Bouza García, V. Cuesta-López, E. Mincheva, & D. Szeligowska. *The European Citizens' Initiative – A first assessment* (pp. 5–6). https://www.coleurope.eu/sites/default/files/research-paper/wp24_eg_0.pdf

Deutsche Gesellschaft für Innenentwicklung. (n.d.). *Bürgerfinanzierung*. <https://www.innenstattaussen.de/buergerbeteiligung/buergerfinanzierung/>

Deutsch-Französischer Bürgerfonds. (n.d.-a). *Startseite*. <https://www.buergerfonds.eu/startseite>

Deutsch-Französischer Bürgerfonds. (n.d.-b). *Über uns*. <https://www.buergerfonds.eu/ueber-uns-neu>

Deutsches Institut für Urbanistik. (2023, January 4). *Was ist eigentlich ... Bürgerhaushalt?*. <https://difu.de/nachrichten/was-ist-eigentlich-buergerhaushalt>

Digitalzentrum Bau. (n.d.). *Digitale Bürgerbeteiligung*. <https://www.digitalzentrumbau.de/glossar/digitale-buergerbeteiligung>

European Citizens' Initiative. (n.d.). *How it works*. https://citizens-initiative.europa.eu/how-it-works_en

European Commission. (n.d.-a). *Green paper*. <https://eur-lex.europa.eu/DE/legal-content/glossary/green-paper.html>

European Commission. (n.d.-b). *Have your say*. https://ec.europa.eu/info/law/better-regulation/have-your-say_en

- European Parliament. (n.d.). *Die Europäische Bürgerinitiative*. <https://www.europarl.europa.eu/factsheets/de/sheet/149/tratado-de-lisboa>
- Eurodistrict PAMINA. (n.d.). <https://www.eurodistrict-pamina.eu/de/>
- Eurodistrict Region Freiburg – Centre et Sud Alsace. (n.d.). <https://eurhena.eu/de/>
- Eurodistrict Strasbourg-Ortenau. (n.d.). <https://www.eurodistrict.eu/de>
- Fixmycity. (n.d.). <https://fixmycity.de/>
- Forschungsgruppe Lokale Partizipation. (2026). *Studie zu digitaler Bürgerbeteiligung in deutschen Kommunen*. TU Dresden.
- FRED.info. (n.d.). <https://fred.info/>
- Frey, M., & Herrmann, S. (2023). Legal elements of a cross-border friendly legislation in the Upper Rhine. In Wassenberg, B. (Ed.), *Frontières en mouvement (FRONTEM): Which models of cross-border cooperation for the EU?* (pp. 113–127). Peter Lang.
- Frontaliers Grand Est. (n.d.). <https://frontaliers-grandest.eu/>
- Heinrich-Böll-Stiftung. (n.d.). *Formelle Bürgerbeteiligung*. https://kommunalwiki.boell.de/index.php/Formelle_B%C3%BCrgerbeteiligung
- Hinz, C. (2018). *Kritische Bilanz der Europäischen Bürgerinitiative (AIES-online Nr. 23)*.
- Höhn, T. (2019, April 14). *Digitale Bürgerbeteiligung auf kommunaler Ebene*. Verwaltung der Zukunft. <https://www.vdz.org/politik-strategie-governance/digitale-buergerbeteiligung-auf-kommunaler-ebene>
- INFOBEST. (n.d.). <https://www.infobest.eu/de>
- Kahla, F., & Maly, C. (2022). Einleitung: Recht und Finanzierung von Bürgerbeteiligungen bei EE-Projekten. In H. Degenhart, & T. Schomerus (Eds.), *Recht und Finanzierung von Erneuerbaren Energien: Bürgerbeteiligungsmodelle* (pp. 9–16). Nomos.
- Kuhn, S. (1998). *Handbuch Lokale Agenda 21 – Wege zur nachhaltigen Entwicklung in Kommunen*. Umweltbundesamt.
- Landeszentrale für politische Bildung Baden-Württemberg. (n.d.-a). *Informelle Bürgerbeteiligung*. <https://www.lpb-bw.de/informelle-buergerbeteiligung>
- Landeszentrale für politische Bildung Baden-Württemberg. (n.d.-b). *Volksabstimmung in Baden-Württemberg*. <https://www.lpb-bw.de/volksabstimmung-in-bw>
- Le Blanc, D. (2020). *E-participation: a quick overview of recent qualitative trends*. United Nations Department of Economic and Social Affairs. <https://www.un.org/en/desa/e-participation-quick-overview-recent-qualitative-trends>

- Lenk, T., Rottmann, O., Grüttner, A., & Albrecht, R. (2013). *Finanzielle Bürgerbeteiligung – Instrument zur Sicherstellung kommunaler Leistungserbringung*. Bertelsmann Stiftung. <https://www.bertelsmann-stiftung.de/de/publikationen/publikation/did/finanzielle-buergerbeteiligung>
- Macintosh, A. (2004). Characterizing e-participation in policy-making. In *Proceedings of the 37th Annual Hawaii International Conference on System Sciences*. IEEE. <https://doi.org/10.1109/HICSS.2004.1265300>
- Maerker Brandenburg. (n.d.). <https://maerker.brandenburg.de/maerker/de/#/>
- Magni-Berton, R., & Premat, C. (2026, March 14). *Le référendum local, un outil de démocratie directe qui suscite l'intérêt*. The Conversation. <https://theconversation.com/le-referendum-local-un-outil-de-democratie-directe-qui-suscite-linteret-277977>
- Morisson, A., & Ferrario, E. (2025, February). *Citizen engagement: A policy brief from the Policy Learning Platform for Better Governance*. Interreg Europe. <https://www.interregeurope.eu/find-policy-solutions/policy-briefs/citizen-engagement>
- Oberrhein-konferenz. (n.d.). <https://www.oberrhein-konferenz.org/de/home.html>
- OECD. (2001). *OECD project on e-government: Analysis framework and methodology*. PUMA(2001)16/ANN/REV1. [https://one.oecd.org/document/PUMA\(2001\)16/ANN/REV1/En/pdf](https://one.oecd.org/document/PUMA(2001)16/ANN/REV1/En/pdf)
- PETR Sélestat-Alsace Centrale. (n.d.). *Common Ground*. <https://selestat-alsace-centrale.fr/transfrontalier/common-ground/>
- Randma-Liiv, T. (2022). Organizing e-participation: Challenges stemming from the multiplicity of actors. *Public Administration*, 100(4), 1037. <https://doi.org/10.1111/padm.12788>
- RegioTriRhena. (n.d.). <https://www.regiotrirhena.org/>
- République française. (2023, September 4). *Quel est le rôle du conseil économique, social et environnemental (CESER)?*. Vie publique. <https://www.vie-publique.fr/fiches/19629-quel-est-le-role-du-conseil-economique-social-et-environnemental-ceser>
- Robert Bosch Stiftung. (n.d.-a). Beteiligung im deutsch-französischen Raum. <https://www.commonground-participate.org/storys/beteiligung-im-deutsch-franzoesischen-raum>
- Robert Bosch Stiftung. (n.d.-b). R(h)einverbindlich / Liaisons rhénanes. <https://www.commonground-participate.org/projekte/rheinverbindlich>
- Robert Bosch Stiftung, & com.X – Institut für Kommunikation und Management. (2025). *Zusammenfassung der wissenschaftlichen Begleitung: Common Ground – Über Grenzen mitgestalten*. <https://bosch-stiftung.de/publikation/common-ground-zusammenfassung-der-wissenschaftlichen-begleitung>

- Sæbø, Ø., Rose, J., & Flak, L. S. (2008). The shape of eParticipation: Characterizing an emerging research area. *Government Information Quarterly*, 25(3), 400–428. <https://doi.org/10.1016/j.giq.2007.04.007>
- Shrestha, R., Hasselder, P., & Bolte, G. (2024). Digitally supported participation in the nexus between public health and urban planning. *Bundesgesundheitsblatt*, 67, 316–323. <https://doi.org/10.1007/s00103-024-03838-0>
- Stuttgarter Zeitung. (2025, January 23). *Staatsrätin Bosch: Digitales Abstimmen bleibt das Ziel*. <https://www.stuttgarter-zeitung.de/inhalt.staatsraetin-bosch-digitales-abstimmen-bleibt-das-ziel.0762d4fd-d261-4825-a4c1-cd64dd8897db.html>
- Tebel-Haas, S. (2024, April 11). *Europa tagtäglich und grenzüberschreitend mit Frankreich erleben – Europaarbeit vor Ort*. Landkreisnachrichten Baden-Württemberg. <https://landkreisnachrichten.de/themen/europa/europaarbeit-vor-ort>
- TRION-climate e.V. (n.d.). <https://trion-climate.net/>
- TRISAN. (n.d.). <https://www.trisan.org/>
- Trinationaler Eurodistrict Basel. (n.d.). <https://www.eurodistrictbasel.eu/de/>
- Trinationale Metropolregion Oberrhein. (n.d.). <https://www.rmtmo.eu/de/>
- United Nations. (2014). *E-Government for the Future We Want*. United Nations Department of Economic and Social Affairs.
- United Nations. (2022). *The Future of Digital Government: Trends, Insights and Conclusions*. United Nations Department of Economic and Social Affairs. <https://doi.org/10.18356/9789210019446c010>
- von Lucke, J., & Reinermann, H. (ed.) (2002). *Electronic Government in Deutschland*. Speyerer Forschungsberichte 226.

