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The invisible hand of the EU: Europeanisation of spatial planning in two non-EU countries

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ABSTRACT

Whereas the Europeanisation of spatial planning in the Member States is extensively researched, few studies have focused on non-Member countries. To shed some light on the matter, this contribution analyses how the European Union (EU) has influenced spatial planning organisation and practices in Albania and Switzerland. Starting from a conceptualisation of Europeanisation as an iterative cycle of uploading and downloading influences that link EU-level territorial governance with domestic spatial planning systems, the authors explore the differential impact that various drivers of change – rules, resources and discourses – have produced in the two countries at the national, subnational and local levels.

1. Introduction

The concept of Europeanisation has progressively entered spatial planning studies as a consistent approach for interpreting the outcomes resulting from almost thirty years of European territorial governance (Dühr, Stead and Zonneveld, 2007; Zonneveld, De Vries and Janssen-Jansen, 2012).⁴ The roots of this phenomenon date back to the inclusion of the ‘cohesion’ objective in the European Union (EU) Treaties in the late 1980s – as the condition for a more balanced integration in terms of “levels of development of the various regions” (former Treaty Establishing the European Community, Art. 158) – that implied a factual engagement of the EU in territorial policies (Faludi, 2010). Interestingly, this has occurred despite the lack of a formal mandate for spatial planning and territorial policies in the EU legislation (Janin Rivolin, 2010).

Whereas numerous authors have explored the Europeanisation of spatial planning in the EU member states (among others: Giannakourou, 2005; Stead and Cotella, 2011; Maier, 2012; Evers and Tennekes, 2016; Purkarthofer, 2018; Cotella, 2020; Cotella and Janin Rivolin, 2024a, 2024b), no significant contribution has yet explored the potential impact that the EU may exert over the spatial planning systems of those

countries which, despite not being part of the EU, are in one way or another subject to the influence of the latter – e.g. due to their participation in the EU pre-accession or neighbouring policy, or even to their voluntary engagement in selected EU territorial initiatives. To partially fill this research gap and shed some light on the matter, this contribution investigates how the EU has, through time, influenced how spatial planning is organised and practised in two countries with very different relations with the EU: Albania and Switzerland. On the one hand, Albania gained EU candidate status in 2014 and, since 2022, has opened the accession negotiations process. On the other hand, despite having signed various bilateral agreements with the EU and voluntarily participating in several EU territorial initiatives, Switzerland has never applied for EU membership.

Following this brief introduction, section two outlines the conceptual framework and the methodological coordinates that have oriented the analysis. The results of the latter concerning Albania and Switzerland are illustrated in sections three and four, respectively. More in detail, each section first summarises the main changes that have characterised the spatial planning system in the country at stake since 1990, to discuss then how the EU has contributed to influence these changes through different mechanisms: (i) the legal conditionality exerted through rules

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⁴ In this concern, the EU represents a one-of-its-kind territorial governance experiment, having consolidated through time a multilevel framework aimed at addressing regional development at a continental scale (Cotella et al., 2021), something that did not succeed in other continental contexts (e.g.: Chirisa et al., 2024).

and regulations, (ii) the economic conditionality triggered through the provision of resources and (iii) the cognitive conditionality deriving from the development and circulation of concepts and ideas. Section five compares the findings and discusses them in the light of the broader academic debate, rounding off the contribution. Overall, the presented insights highlight how the different statuses of the two countries *vis-à-vis* the EU affect the latter's leverage to induce change in domestic spatial planning.

2. The Europeanisation of spatial planning

2.1. Conceptual framework

The study adopts a conceptualisation of Europeanisation that, developed by one of the authors (Cotella and Janin Rivolin, 2015, 2024a, 2024b), has served as the foundation of the ESPON COMPASS project, which is the most recent and comprehensive comparative analysis of spatial planning systems in Europe, and to which the authors of the present article have actively contributed (Nadin et al., 2018, 2024). More in detail, Europeanisation is understood as an iterative cycle of uploading and downloading relations that embed the spatial planning systems of the different EU countries within a broader EU-level territorial governance, in so doing influencing their functioning and triggering episodes of change (Cotella and Janin Rivolin, 2024a, 2024b; Berisha and Cotella, 2024).

The visual representation proposed in Fig. 1 shows how both EU territorial governance (the large circle in the figure) and Member States' spatial planning systems (each represented by the small circle in the figure) are dynamic institutional objects subject to change, that is driven by a circular process composed – starting from the top and going clockwise – by phases of policy formulation, policy implementation, assessment of the policy outcomes and finally institutional codification of new solutions inspired by the results of the assessment.

At the same time, these processes of change do not occur independently but may influence each other through the multiple channels linking the two circles. When looking at the figure more closely, it is possible to analytically separate three distinct channels of top-down Europeanisation, respectively adopting rules and regulations, policies and guidance documents as catalysts of change (Knill and Lehmkühl, 1999; Radaelli, 2004)⁵:

A *structural influence* (represented in Fig. 1 by the red arrows), delivering the (often indirect) impacts that the EU exerts through the development of sectoral legislation in various fields that have implications for spatial planning, such as the environment (Jordan and Liefkerink, 2004), energy (Cotella et al., 2016; Valkenburg and Cotella, 2016), transport and competition (Colomb and Santinha, 2012).

An *instrumental influence* (represented in Fig. 1 by the orange arrows), triggered by the introduction of recursive incentives for regional policy (Cotella and Dabrowski, 2021), systematic territorial cooperation (Dühr et al., 2007), sustainable urban development (Cotella, 2019) etc., that modify the cost-benefit logic of domestic actors and enhance variations in established spatial planning practices.

A *discursive influence* (represented in Fig. 1 by the green arrows), that is the results of a complex discursive integration processes through which the concepts and ideas included in the EU guidance documents alter the beliefs and expectations of domestic actors (Böhme, 2002; Adams et al., 2011).

Various authors have highlighted how Europeanisation does not end

⁵ Importantly, additional channels of bottom-up Europeanisation exist that allow the Member States to trigger institutional change at the EU level and to influence supranational policymaking. However, as the countries under investigation do not participate to the EU policy cycle to a full extent, it is reasonable to assume that the influence they exert through these bottom-up channels is negligible (Schimmelfennig, 2015)

at the external border of the EU but influences countries and territories aspiring to join the EU or those that have particular interests in cooperating with it (Schimmelfennig and Sedelmeier, 2005; Schimmelfennig, 2010; Linder, 2013; Berisha et al., 2021; Qorraj et al., 2024; Kacani, 2024; Martinovska Stojcheska et al., 2024). Following this argument, it is reasonable to assume that, as both Albania and Switzerland have engaged in one way or another with the EU and, more in particular, with EU territorial governance, their spatial planning systems have been subjected to the top-down influence delivered through the three channels introduced above. Hence, exploring the differential impact of these three channels in the two countries may contribute to shed light on how the different relations of a given country with the EU determine the way the latter is subject to Europeanisation dynamics.

2.2. Methodological approach

The analysis adopts a mixed methodology that draws on the information collected in the framework of the ESPON COMPASS project, for which two of the authors have acted as country experts for Albania and Switzerland, as well as on four years of desk research and semi-structured interviews, conducted by the same authors in the framework of their respective doctoral theses. More in detail, the ESPON COMPASS methodology required that the various country experts compiled their reports, each drawing on five interviews with other spatial planning scholars and practitioners active at different territorial levels (national, regional and local) in the country at stake. The interviews concerned the evolution of spatial planning in the period 2000–2018 and the role that the EU, through its sectoral legislation, incentive schemes, and guidance documents, had in driving the occurred changes.⁶ Additional interviews were conducted in the framework of the two doctoral research studies mentioned, respectively focusing on the evolution of spatial planning systems in the Western Balkans and on the relations between spatial planning and well-being in Switzerland.⁷ The results obtained from the desk research and interviews have been tested and validated in the interaction with the scholars involved in a number of international networks engaged with the comparative analysis of spatial governance and planning in Europe (the ARL working group on Comparative Spatial Planning Research, the Western Balkan Network on Territorial Governance and the AESOP Thematic Group on Transboundary Planning and Governance, formerly Transboundary Spaces, Policy Diffusion and Planning Cultures).

Following a similar methodology to the one adopted in the ESPON compass project to compare the impact of the EU on the evolution of the spatial planning systems of the Member States, the impact of the three channels of influence on the spatial planning systems (i.e. structure, instruments and discourse) of Albania and Switzerland has been assessed at different territorial levels – national, sub-national and local – to produce a multi-scalar picture that allows reflecting on the institutions that have acted as a domestic catalyst for the influence of the EU.

Drawing on the collected information, the significance (i.e. the capacity of EU to influence the spatial planning) of the impact has been assessed on a 0–3 scale (i.e. 0 = not significant – i.e. scarce or no changes are imputable to the influence of the EU; 1 = scarcely significant – for example, minor amendments were introduced to spatial planning instruments or procedures as a consequence of the influence of the EU; 2 = rather significant – for example, revisions to existing spatial planning instruments or organisations, revisions to existing planning procedures

⁶ Additional information concerning the ESPON COMPASS methodology is available in the dedicated report at: <https://archive.espon.eu/planning-syst-ems>.

⁷ Additional information concerning the methodology adopted in the two doctoral researches are respectively available at: (i) <https://hdl.handle.net/11583/2707105> and (ii) <https://hdl.handle.net/11583/2707935>

heavily influenced by the Soviet system. Spatial planning, especially land-use regulation, adhered to highly rigid top-down procedures, primarily focused on determining the localisation of functions within the built environment and the organisation of public spaces and services (Toto, 2010). As recognised by the United States Agency for International Development (USAID, 2012), spatial planning was used by the government to exert its power over the country territory, in support to highly hierarchical sectoral policies. Consequently, spatial development was organised from the top-down, through an overly bureaucratic system where national interests overcame local priorities.

After the collapse of the communist regime, Albania faced an important reform process in the field of spatial governance and planning, operating a radical shift from the so-called *urbanistika* (i.e. prescriptive and centralised approach focusing on zoning and building codes rather than on the planning process) to a more integrated approach to spatial development and planning. However, this process has been characterised by institutional and legislative impasses. During the 1990s, despite the introduction of new spatial planning laws in 1993 and 1998, the system did not change substantially, with *urbanistika* that maintained a central role as ‘the expression and determination of the general rules for building location and the architectural form of construction’ (Albanian Council of Ministers, 1998) and the planning instruments mentioned by the 1998 Law that followed suit (master plan, general regulatory plan, partial urban studies and the so-called ‘yellow line’, i.e. a line that represents the urban border, and local authorities were allowed to plan only within that perimeter). Despite the clarification of planning authorities and their responsibility, these first reforms were unable to recognise the deep social, economic and spatial transformations that were ongoing in the country, neither to tackle the resulting social and spatial inequalities (Berisha, 2018) in so doing leading to the proliferation of informal and illegal development and the overexploitation of natural resources all over the country (Pojani, 2013; Berisha, 2018; Aliaj and Kacani, 2020).

This perception of spatial planning as a merely technical and regulative process dominated the Albanian context until the second half of the 2000s (Berisha et al., 2018; Berisha et al., 2024). Aiming at facing the mentioned challenges, in the framework of the Programme “Local Government Decentralization in Albania”, in 2007 USAID adopted the first political document addressing a future spatial planning reform in the country. Despite being often criticised for the lack of participation of local authorities to its drafting process (Toto, 2010), the document constitutes a milestone in the preparation and adoption of the new law on “territorial planning” (law No. 101/19), approved in 2009 by the Albanian Parliament. The name of the law itself is symptomatic of a shift in the adopted spatial approach, as the previous legal act referred to and focused almost exclusively on urban planning. These innovations are significant, both at an institutional level, with the introduction of the National Territorial Planning Agency (NTPA), and in terms of scope, as the Law includes several references to EU spatial guidance documents as the European Spatial Development Perspective (ESDP) and the Territorial Agenda (Allkja, 2021; Berisha and Cotella, 2024). More in detail, the law introduces a comprehensive set of policies (covering the social, economic and environmental dimensions of sustainable development) and planning tools (general, sectoral and cross-sectoral), programmes and assessment mechanisms and, for the first time, it proposes the use of integrated inter-sectoral plans. It is important to highlight that, until now, the full potential of the legal reform hasn’t been yet unleashed by the local actors, both public and private. This depends on different reasons, including a rather high inertia by the planning profession to change its practices and routines and the public administration’s lack of institutional capacity (Berisha, 2018).

To overcome some conceptual and practical ambiguity, the Law “on territorial planning and development” (law No. 107/2014) came into force in 2014. The law has the merit of simplifying (i) planning instruments, subdividing them into central and local level plans; (ii) planning procedures, considering the entire process of plan preparation

at the central or local level, including building permit procedure; (iii) responsibility, specifying the role of NTPA; (iv) development instruments, above all solving issues related to building intensity and the transfer of development rights. Thanks to the recent reforms, the scope of spatial planning has shifted from urban regulation to a more comprehensive approach to territorial development, in which spatial and sectoral policies at all levels are interconnected. At the same time, one should acknowledge that, despite the important changes in competencies, tools and procedures, the mechanisms used to award development and land-use rights have remained anchored to the traditional conformational model (Janin Rivolin, 2008; Berisha et al., 2021, 2023) substantially similar to the other the Mediterranean’s spatial planning system (Tulumello et al., 2019).

3.2. The impact of the EU

With the signing of the Stabilisation and Association Agreement in 2009, Albania’s integration into the EU gained momentum. The country attained Candidate Status in June 2014, demonstrating a positive approach to transposing EU directives. More recently, in 2018, a new perspective on integration was launched with the enlargement strategy adopted by the European Commission. This strategy confirms the necessity to accelerate regional and domestic alignment procedures to facilitate a new phase of EU enlargement after 2025. For the Albanian case in particular, this perspective was confirmed by the launching of the screening process that represented a first step towards the opening of the negotiations, that occurred in 2022. Importantly, this ongoing process has not only influenced the political and socio-economic system of the country but contributed to inspiring changes in how territorial development is addressed.

Regarding territorial governance and spatial planning, the first significant step toward a more European perspective was taken with the policy paper for territorial planning and development of Albania, adopted by the Ministry of Urban Planning and Tourism in 2013. This document explicitly mirrors the key concepts and principles of EU territorial development, acknowledging the necessity for an increasing Europeanization of Albanian spatial planning concerning policies, instruments, and practices. In greater detail, the document expresses the intention to align the domestic spatial planning system with the European Spatial Development Perspective (ESDP), EU sectoral directives, and the Europe 2020 Strategy. This new direction signifies the domestic commitment to transition towards an EU-inspired spatial planning system, despite the absence of any formal obligation in this regard. Having clarified above that Europeanisation is a diachronic process delivered through multiple channels of influence, Table 1 shows how the main EU legislative framework, policies and guidance documents have contributed to shaping the Albanian spatial planning system at the different territorial levels through time.

First, it is interesting to highlight that, despite its candidate status, the transposition of the EU Directives has already deeply affected the Albanian legislative framework. In this respect, the major influences come from the environmental and transport legislation and from the pre-accession negotiation, while there is less impact from competition and energy. The influence intensity is different in respect of the administrative levels (higher impacts have been recognised at the centre level, absent at the meso-level, and relatively low at the local level), while the trend is generally increasing except in the case of the meso-level which remain absent due to the lack of responsibility established by the Constitution. This is understandable since Albania seeks to join the EU and is generally inclined to transpose legislation despite transaction

Table 1

Evaluation of the EU influence on the Albanian spatial planning system (Source: Authors' elaboration).

EU Influence	Influencing element	National level		Sub-national level		Local level	
		Intensity	Trend	Intensity	Trend	Intensity	Trend
Structural	EU competition legislation	1	↑	0	↔	1	↑
	EU energy legislation	1	↑	0	↔	1	↑
	EU environmental legislation	3	↑	0	↔	2	↑
	EU transport legislation	2	↑	0	↔	1	↑
	Pre-accession negotiation	2	↑	0	↔	1	↑
Instrumental	EU cohesion policy	N/A	N/A	N/A	N/A	N/A	N/A
	European territorial cooperation	1	↑	0	↔	1	↑
	EU urban programmes	0	↔	0	↔	1	↑
	EU rural development policy	2	↑	0	↔	1	↑
	Pre-accession and neighbourhood policy	3	↑	0	↔	1	↑
Discursive	EU development strategies ^a	2	↑	0	↔	1	↑
	EU spatial policy documents ^b	2	↑	0	↔	1	↑
	EU urban agenda ^c	1	↑	0	↔	1	↑
	ESPON Programme	N/A	N/A	N/A	N/A	N/A	N/A

⁴Include the Green paper on the urban environment, the Leipzig Charter on sustainable cities, and all the documents developed within the European Commission Urban Development Group.

^a Include URBACT and European Urban Initiative

^b Include the Lisbon and Gothenburg Strategies and the EU2020 Strategy.

^c Include the ESDP, the EU Territorial Agendas and the EC Green paper on territorial cohesion.

costs. Overall, the influence has generated three types of effect. The first concerns the direct impact on domestic legislation where the EU's influence has been impacted by updating the existing legislative framework and introducing new laws, above all, transposing the EU environmental legislation.⁸ Secondly, the EU directive implementation produced a significant institutional restructuring promoting new institutions like the National Agency for Protected Areas (NAPA), the National Environmental Agency (NEA) and several other departments (Berisha and Cotella, 2024). Again, the directives' transposition led to changes promoting new strategic and action plan instruments⁹ and, more importantly, inducing changes in the planning practice as a consequence of the introduction of the Environmental Impact Assessment (EIA), the Strategic Environmental Assessment (SEA) and, to a lesser extent, the certification of building energy conformity (whereas Law No. 116/2016 has been adopted, it generally lacks been implementation).

The influence of EU policy is lower compared to legislation. There appears to be no discernible impact in relation to the EU cohesion policy and EU urban policy, while the influence on European territorial cooperation has been limited, partly due to the involvement of both transnational and cross-border cooperation initiatives since the programming period 2007–2013. Similarly, the EU rural development policy has only had a moderate impact, whereas the pre-accession and neighbourhood policy of the EU has shown a stronger and increasing impact over time. Regarding the main changes observed on the ground, it is noteworthy that the introduction of the programming period compelled the country to align its programming with that of the EU. Additionally, the adoption of a strategic approach laid the groundwork for the initiation of several strategic plans and programs, including the National Strategy for Development and Integration 2014–2020. The promotion of the integrated approach has contributed to introducing a cross-sectoral perspective that overcomes the traditional silo-mentality. This has been facilitated by the introduction and implementation of the EU pre-accession and neighbouring policy that, over the years, has allocated funds to enhance the Albanian ability to face the EU perspective with

⁸ In particular innovation has been introduced by the Directive on Environmental Impact Assessment (2011/92/EU), the Directive on Strategic Environmental Assessment (Directive 2001/42/EC), the Directive on Habitat (92/43/EEC), the Water Framework Directive (2008/105 / EC).

⁹ In this sense one should mention the National Energy Strategy, the Marine Environmental Strategy, the National Environmental Strategy, the National Transport Plan and the Sectoral Transport Strategy

numerous reforms (Berisha, 2018). In this respect, at the national level, several strategic programmes have been launched in different fields aiming to apply for and benefit from the Instrument for Pre-Accession Assistance (IPA). In fact, the Cross Border Cooperation (CBC) segment of the IPA fund plays an important role in sharing competencies and projects across neighbouring countries (Pinnavaia and Berisha, 2021). Yet importantly, since 2014, Albania has been participating in the European Union Strategy of the Adriatic Ionian Region (EUSAIR). More in detail, the EUSAIR includes four EU Member States (Croatia, Greece, Italy, Slovenia) and six non-EU countries (Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, San Marino, Serbia) and promotes economic and social prosperity and growth in the region by improving its attractiveness, competitiveness and connectivity (Solly and Berisha, 2021). Several initiatives have been undertaken to harmonise national (strategic) and local planning instruments. When referring to the EU rural development policy, Albania is part of the Common Agricultural Policy (CAP) through IPA rural development funds. As a consequence of CAP's provisions and indications, several sectoral strategic plans were launched,¹⁰ contributing to support agricultural activities in the country without introducing relevant innovations. Regarding EU Urban Programmes, it is worth noting that Albanian municipalities are eligible for the URBACT IV programme in the current programming period (i.e. 2021–2027) while they are not eligible for the European Urban Initiative.

Ultimately, by analysing national (the General National Plan, the Trans-sectoral Integrated Plan of the sea-coast trans-sectoral Integrated Plan Tirana-Durres and other sectoral national plans, in particular) and local planning documents (Local General Plan of Tirana and Durres), the gradual recognition of the concepts and principles outlined in the primary EU guidance document has played a role in the transition from an urban planning and urbanism logic to a territorial planning and development approach (Berisha, 2018). In this regard, with the exception of the ESPON programme that does not produce substantial effects (Albania neither took part in the programme nor was targeted by its studies), some relevant influence was exerted through a number of EU development strategies and spatial policy documents as well as through the EU urban agenda. Indeed, analysing the large number of national

¹⁰ As regards this one should mention: the Rural Development Programme 2014–2020 funded by IPA and the Inter-Sectoral Strategy for Agriculture and Rural Development 2014–2020 as the main documents which refer to the agriculture sector.

strategies, documents, policy guidelines, recommendations, plans, etc., it seems that the adoption of the EU Urban Agendas, ESDP, and EU Territorial Agenda 2020 as a reference has by some means become part of the ordinary spatial planning language (Solly and Berisha, 2021). Overall, concepts such as polycentric development, subsidiarity, rural development, integrated transport system, conservation of natural and cultural heritage, etc., have become hegemonic concepts within the domestic discourse (Cotella and Berisha, 2016) such as decentralisation and self-government coming from EU directives and general recommendations, are fully addressed in the spatial planning debate. However, as had happened in other contexts, the incorporation of these notions in different planning documents has been often misinterpreted (Marjanović 2017) and not well contextualised for different local reasons like political will, lack of expertise at the local level, and lack of academic debate (Cotella et al., 2012; Adams et al., 2014). Most importantly, in fact, the domestic territorial knowledge community until now appeared unprepared to receive and literally translate EU notions into the local language and/or often, the translation is incorrect, and in certain cases, the use of foreign terminology generated misunderstandings and misinterpretation of western policy papers and documents (Berisha, 2018).

4. The evolution of spatial planning in Switzerland and the role of the EU

Switzerland is a federal republic, featuring three main levels of government, each involved in one way or another in spatial planning: the national or confederation level, the cantonal or regional level and the local or municipal level. The country is well-known for its decentralised decision-making approach and direct-democracy institutions, as well as the collaboration between the various institutional levels and cooperation between the public, private and civil sectors (Papamichail and Perić, 2023). The municipalities have the greatest decision-making power in the implementation of spatial development and, through zoning and other policy instruments, are the main actors in charge of coordinating densification (Gerber and Debrunner, 2022).

In Switzerland, since the 1990s, there has been a transition of spatial planning practices and initiatives, with the aim of achieving a more sustainable and rational land use management. For historical and cultural reasons, Switzerland is a European country but not a member of the EU, and it does not seem to aspire to membership. However, there would seem to be a “paradox” between the country’s involvement in European programmes and policies but, at the same time, its choice to remain outside the EU (Solly et al., 2018). For example, as it will be discussed in the next sections, the country participates in several bilateral agreements in order to be involved in the EU territorial initiatives without becoming a member state. These shared agreements and initiatives enhance cross-border cooperation in sectoral policies and programmes, overall contributing to deliver some influence from the EU on the Swiss spatial planning system.

4.1. Overview of the changes in spatial planning

Spatial governance and planning in Switzerland have changed considerably during the years. After the Second World War, spatial planning in the country was not able to respond efficiently to the rapid expansion of urban settlement areas and the building boom, and as yet there was no legal framework, with a clear definition of the roles of the federal, cantonal and communal governments as regards spatial planning. Nevertheless, the results of the previous ‘laissez-faire’ policy demonstrated the need for planning to supervise the urban and rural growth. As a result, spatial planning gained more importance and in the 1960s became a national issue, with permission being given to the public authorities to improve infrastructure. The Federal Law on Spatial Planning which only came into effect in 1980, also attempted to promote a more sustainable and efficient use of land. According to the Federal

Planning Law, the Confederation, cantons and communes need to coordinate their activities that have a spatial impact, taking into account the natural environment, the needs of the population and the economy. By means of spatial and regional planning measures, they are expected to show particular support to: (i) protect natural resources such as soil, air, water, forests and the landscape; (ii) promote inward settlement development, while ensuring an appropriate quality of housing; (iii) create compact settlements; (iv) create and maintain the regional requirements for the economy; (v) encourage social, economic and cultural life in the various regions of the country, and promote appropriate decentralisation of settlement and economic activities; (vi) guarantee the basis for the provision of sufficient food supplies for the country; (vii) ensure the general defence of the country; (viii) promote the integration of foreigners and social cohesion (art. 1 of the 1979 Federal Planning Law). In the following years, this legal milestone provided the basis for the rapid institutionalisation of spatial planning at the federal, cantonal and local levels. However, it would seem that a number of the cantons and communes had not exercised enough restraint as regards spatial planning policy, and that consequently too much land was allocated for building.

After many years of discussion about the unsatisfactory way existing spatial planning regulations were implemented, the federal authorities aimed to improve legislation in order to limit the availability of building land. In 1996, the Swiss Planning Policy Guidelines were published, emphasising the need for a more rational land use and to restrict urban sprawl. To achieve this, four lines of action were set out: (i) to plan urban areas; (ii) to strengthen rural areas; (iii) to preserve natural landscapes and the countryside; (iv) to integrate Switzerland into Europe (i.e. high-speed railway network, transnational cooperation). In 2012, the Second Home initiative was adopted, in order to limit the construction of second homes.

Spatial planning methods and issues have changed considerably in recent years and the planning process is moving towards more flexibility and a strategic management of the territory, integrating the concept of sustainability, supporting private-public partnerships and negotiation-oriented planning (Gerber, 2016). The country’s use of direct democracy to face land use challenges is particularly relevant in this regard, as can be seen in the 2013 referendum. On 3 March 2013, the Swiss population was called to vote on whether to limit building land, tightening the Federal Law on land use in order to preserve the Swiss landscape and to reduce urban sprawl. This referendum led to the 2014 partial revision of the 1979 Federal Law on Spatial Planning, which, together with the 1999 Federal Constitution, is the legal structure of the territorial development of the country. The Federal Government then proposed a second phase of the 2014 partial revision of the Federal Law of Spatial Planning, and drew up a project together with the cantons and municipalities, gradually involving other interested groups, which was adopted in 2018.¹¹ The revised Swiss Federal Spatial Planning Act of 2014 introduced the concept of densification as a legally binding objective, obliging the cantons and municipalities to apply the principle of inward development (Perić et al., 2023). At the same time, densification processes started to threaten the housing situation of low and middle income tenants due to higher rents following redevelopment (Debrunner et al., 2020). Nevertheless, according to (Gerber and Debrunner, 2022), urban densification often appears to be market-led, as in the city of Zurich, where “profitability objectives are secured by strong property titles protected by the Swiss Constitution and agreements negotiated with municipal planning authorities and formalized in special design plans”. Thus, some change in Swiss spatial planning has come into being, or at least been endorsed, through popular demand and through federal decision-making (Solly, 2018). Moreover, deliberative planning, democratic actor constellations, and transparent

¹¹ On October 31 2018, the Federal Council adopted the second phase of the partial revision of the Federal Law of Spatial Planning.

decision-making procedures makes the Swiss planning culture highly collaborative (Perić Momčilović et al., 2017). Nevertheless, recent analysis of cooperative planning as a procedural norm in Zurich's planning practice has shown that "social equity, inclusion and spatial justice are still challenging to implement, even in the Swiss direct democracy setting" (Perić et al., 2023).

4.2. The impact of the EU

Because Switzerland is not an EU member, the influence of EU policies (instrumental influence) is stronger than that of EU directives and sectoral legislation (structural influence) and of EU discourse (dialogic influence, see Table 2). This can be seen in the increasing adoption and implementation of new cycles of European policies, such as the current Interreg and URBACT projects, as illustrated below. Nevertheless, the Federal Office for Spatial Development (ARE) points out that it is vital for a small country like Switzerland, whose cantons and infrastructure are closely bound up with those of its European neighbours, to maintain a close dialogue with partners outside its borders. With this in mind, ARE, on its website, declares its intention to pursue the following goals:

'we want to contribute actively to European spatial planning; we are seeking to integrate our urban system into that of the rest of Europe; and we are striving for the closest possible cooperation among Europe's rural and Alpine regions.¹²

In any case, compared to the 1990s, an increasing involvement in EU activities and projects can be detected starting from the 2000s.

Referring to the structural influence, Switzerland is not a member of the EU, and so there is no legal conditionality pushing for the transposition of EU sectoral legislation on the country's spatial planning system. There is, however, a certain amount of indirect influence, and there are shared initiatives, such as the bilateral agreements and the EU projects in which Switzerland participates. More in detail, there has been an increase of attention in the EU energy, environmental and transport frameworks. As regards transport, the 1999 bilateral agreement on overland transport increased reciprocal cooperation between Switzerland and the EU and opened up the market for the transport of persons and goods by road and rail. Swiss national policy started to take into more consideration the key European transport corridors (e.g. Trans-European Networks-Transport), also to improve and enhance cross-border transportation infrastructure. For example, in December 2016, the 57 km long Gotthard Tunnel was inaugurated in order to improve the transportation network between northern and southern Europe. Similarly, since 2007 the country has been discussing with the EU about a bilateral agreement in the electricity sector, to create new opportunities in the renewable energy market and to guarantee a reliable cross-border trade and supply of electricity. As observed in the Swiss Energy Strategy 2050 on renewable energies, the country is pursuing its own goals which mainly correspond to EU's targets. Moreover, since 18 November 2016, Switzerland, together with Belarus and Ukraine, has officially adopted the Emerald Network, the equivalent of Natura 2000 in non-EU countries. As regards the impact of EU transport legislation, the national transport policy and planning takes into major consideration key European transport corridors, such as the Rhine-Alpine Corridor. Overall, even though there is no legal conditionality pushing for the transposition of EU sectoral legislation, it seems that the country is indirectly influenced by EU programmes and policy decisions (Solly, 2018; Solly et al., 2018). In fact, besides these shared initiatives, several Swiss laws must be coherent with EU policies, agreements and directives, in order to provide compatibility and conformity.

When it comes to the instrumental influence, the implementation and influence of European policies, through projects such as Interreg and URBACT, has led to increased trans-national cooperation and

encouraged dialogue, especially in the Swiss cross-border regions and municipalities (Gillet et al., 2007). Indeed, the Interreg incentive programme and its projects are important for Switzerland and constitute a significant part of the Swiss regional policy. The influence of EU policies can also be seen in the creation of the New Regional Policy (NRP), which promotes European territorial cooperation, as well as innovation, value creation and competitiveness in a sustainable way. The NRP concentrates on the financing of programmes, projects and initiatives in the various regions. Moreover, the NRP is an example of a reform process currently underway in many OECD countries where the "shift from top-down sectoral subsidies towards bottom-up integrated cross-sectoral investment represents a complex agenda that can take various forms" (OECD, 2011; 62). In general, current Swiss regional policy can be considered to be increasingly designed to establish competitive, supra-regional, supracantonal and international value creation systems. Since 1 January 2008, the Swiss Confederation has also been promoting cooperation between the cantons and INTERREG within the framework of the NRP. For participation in the 2014–2020 programming period, the Confederation made CHF 50–60 million available from the Regional Development Fund. Within the NRP framework, the federal government and the cantons provide financial assistance to the projects. These projects must have an impact on mountain, rural or border regions in order to be eligible for public funding. However, the projects that are in line with the European Territorial Cooperation (ECT) are an exception to this requirement (Solly et al., 2018). More in detail, Switzerland participated in Interreg V (A-B-C) for the programming year 2014–2020 (e.g. Alpine Space). The country's participation in Interreg programmes are part of the Swiss Confederation's NRP. In particular, Interreg A is under the responsibility of the cantons, while Interreg B is coordinated by the ARE and Interreg Europe by the State Secretariat for Economic Affairs (SECO). Indeed, the Interreg projects (currently Interreg VI 2021–2027) have increasingly strengthened cooperation and encouraged dialogue in the Swiss cross-border regions and municipalities.

There are various trans-European risk management projects involving cross-border cooperation between Switzerland and Italy (e.g. the Great St. Bernard pass and tunnel). Concerning the same geographical area, (Gillet et al., 2007) describe a comparison of cross-border risk management in land use practices in Switzerland (Canton Valais), France (Rhône-Alpes and Provence-Alpes-Côte d'Azur) and Italy (Aosta Valley) carried out as part of an INTERREG project. Moreover, strong cross-border cooperation ties have been established over the years, with the exchange of technical visits to the areas for which they are responsible. Various conventions on exchange and mutual assistance have been drawn up and signed within the framework of established relations with neighbouring countries. For example, the convention signed together with Italy's national Department of Civil Protection is the formal framework for transalpine civil engineering assistance if there is a serious earthquake. Switzerland's spatial planning policy would also seem to have been strongly promoting a more resource-efficient, greener and more competitive economy to reach sustainable development, and the country's regional policy has been significantly transformed in recent years to render the economy more competitive and innovative. The country has also tried to strengthen ecological structures as well as the resilience of its cultural and natural heritage. There are nevertheless various planning priorities in need of increased engagement. For example, for (Papamichail and Perić, 2023), the implementation of action-oriented planning methods could improve regional governance in Switzerland.

It is important to highlight that, since 2015, Switzerland is also part of the EU Strategy for the Alpine Region (EUSALP). The macro-regional strategy aims to improve cross-border cooperation in the Alpine countries, as well as to identify common goals and implement them more effectively through transnational collaboration (Solly and Berisha, 2021). EUSALP concerns seven countries, of which five are EU Member States (Austria, France, Germany, Italy and Slovenia) and two non-EU countries (Liechtenstein and Switzerland). In 2023, for the first time,

¹² www.are.admin.ch

Table 2
Evaluation of the EU influence on the Swiss spatial planning system (Source: Authors' elaboration).

EU Influence	Influencing element	National level		Sub-national level		Local level	
		Intensity	Trend	Intensity	Trend	Intensity	Trend
Structural	EU competition legislation	1	↔	0	↔	1	↔
	EU energy legislation	2	↑	1	↑	1	↑
	EU environmental legislation	2	↑	1	↑	1	↑
	EU transport legislation	2	↑	1	↑	1	↑
	Pre-accession negotiation	N/A	N/A	N/A	N/A	N/A	N/A
Instrumental	EU cohesion policy	N/A	N/A	N/A	N/A	N/A	N/A
	European territorial cooperation	2	↑	2	↑	1	↔
	EU urban programme	2	↑	1	↔	2	↑
	EU rural development policy ^a	N/A	N/A	N/A	N/A	N/A	N/A
	Pre-accession and neighbourhood policy	N/A	N/A	N/A	N/A	N/A	N/A
Discursive	EU development strategies ^a	1	↔	0	↔	0	↔
	EU spatial policy documents ^b	1	↓	0	↔	0	↔
	EU urban agenda ^c	1	↑	0	↔	1	↑
	ESPON Programme	1	↑	0	↔	0	↔

4Include the Green paper on the urban environment, the Leipzig Charter on sustainable cities, and all the documents developed within the European Commission Urban Development Group.

^a Because of its traditional strong respect for local identities and procedures, Swiss rural development policy follows national legislation rather than EU directives, and is highly localised at both the cantonal and communal level.

^a Include URBACT and European Urban Initiative

^b Include the Lisbon and Gothenburg Strategies and the EU2020 Strategy.

^c Include the ESDP, the EU Territorial Agendas and the EC Green paper on territorial cohesion.

the Swiss Confederation and the cantons have been jointly chairing the EUSALP. During the Swiss Presidency, the strategy is expected to be streamlined in terms of content and organization, focusing on the key transversal topics of circular economy, water and transport/mobility.

As regards the impact of EU urban policy, URBACT included the EU countries as well as Switzerland and Norway and Western Balkans, only starting from the 2021–2027 programming period. All Swiss cities can participate as partners in the network, developing international contacts, exchanging experiences and disseminating knowledge with other cities facing similar challenges to theirs. The cities of Zurich, Basel and Lugano have been participating in URBACT projects, improving and strengthening the partnership and cooperation with neighbouring municipalities. URBACT IV (2021–2027) will continue to include Switzerland to support cities in achieving an integrated and sustainable urban development.

Finally, concerning the impact of the EU discourse, EU policy documents, strategies and initiatives, such as the ESDP, have brought, to a certain extent, changes within the Swiss planning discourse (OECD, 2002; ESPON, 2006). Among them, particularly relevant is the growing attention from the Swiss Federal Government to improve the country's sustainable development, enhancing more effective land use practices. There are various stakeholders who have been designated to control the environmental quality of the country. For example, the Federal Office for the Environment (FOEN) is in charge of ensuring a sustainable use of natural resources, conserving landscape and biodiversity and trying to minimise natural hazards. The Swiss Federal Office for Spatial Development also has responsibility for ensuring that the Federal Government's activities observe the principles of sustainability. Moreover, the 2013 referendum in favour of a revised Federal Law on Spatial Planning highlights a turning point in people's interest in preserving the Swiss landscape and reducing urban sprawl. Indeed, in Switzerland "adaptive territorial governance and place-based decision-making seem to benefit from the use of referendums and direct democracy" (Solly, 2020). As explained above (Section 4.1), densification has also become a central paradigm in Swiss spatial planning, practice and research (Perić et al., 2023). The Confederation, the cantons and municipalities are currently working together to devise a nationwide urban planning and development policy that faces the challenges of the densification of the built environment, as well as the preservation of agricultural and undeveloped land. Since 2002, the country has also been participating in ESPON programmes, and specific information on Switzerland is incorporated

into the projects. For example, based on the Swiss experience in defining the so-called 'action areas', the 2016–2017 ESPON project on Action Areas (ACTAREA) investigated the added value and potentials of new forms of cooperation areas. Overall, the ARE, on its website, declares that participation in the ESPON programme "has also helped Switzerland to establish a number of valuable relationships and build up its own international network of long-term international partners". Moreover, since the late 1990s, integrated approaches to urban development have become increasingly important in the country.

5. Discussion and conclusion: the invisible hand of the EU and its differential grasp

Several authors argue that the Europeanisation of a spatial planning system can be observed from different perspectives (Cotella and Janin Rivolin, 2015). Researchers like Janin Rivolin and Faludi (2005) link this influence to the consolidation of an EU multi-level governance framework, while others emphasise the process of institutional transformation of domestic context (Giannakourou, 2005; Maier, 2012) or suggest focusing attention on discursive integration processes that lead to co-generation and more or less structured exchange of knowledge (Böhme, 2002; Adams et al., 2011; Cotella et al., 2012). Whereas the richness and variety of interpretations are complementary to each other, scarce attention has been dedicated until now to the potential impact that the EU may exert upon aspirant members or neighbouring countries that have no intention to join (Berisha and Cotella, 2024).

Building on this awareness and on the data gathered over 10 years in the framework of the ESPON COMPASS research project and other activities; this contribution aims to answer a guiding question, i.e. whether the invisible hand of the EU reaches out to these countries, too, and, if so, how. The answer to this question is synthesised in Table 3, which compares how the EU has influenced through time how spatial planning is organised and practised in Albania and Switzerland.

¹Include the Lisbon and Gothenburg Strategies and the EU2020 Strategy.

²Include the ESDP, the EU Territorial Agendas and the EC Green paper on territorial cohesion.

³Include the Green paper on the urban environment, the Leipzig Charter on sustainable cities, and all the documents developed within the European Commission Urban Development Group.

Table 3

The differential influence of the EU on Albania and Switzerland's spatial planning systems (Source: Authors' own elaboration).

Influences	Influencing element	AL			CH		
		National	Sub-national	Local	National	Sub-national	Local
Structural	EU competition legislation	1↑	0↔	1↑	1↔	0 ↔	1↔
	EU energy legislation	1↑	0↔	1↑	2↑	1↑	1↑
	EU environmental legislation	3↑	0↔	2↑	2↑	1↑	1↑
	EU transport legislation	2↑	0↔	1↑	2↑	1↑	1↑
	Pre-accession negotiation (if applicable)	2↑	0↔	1↑	N/A	N/A	N/A
Instrumental	EU cohesion policy	N/A	N/A	N/A	N/A	N/A	N/A
	European territorial cooperation	1↑	0↔	1↑	2↑	2↑	1↔
	EU urban policy	N/A	N/A	N/A	2↑	1↔	2
	EU rural development policy	2↑	0↔	1↑	N/A	N/A	N/A
	Pre-accession and neighbourhood policy	3↑	0↔	1↑	N/A	N/A	N/A
Discursive	EU development strategies ¹	2↑	0↔	1↑	1↔	0↔	0↔
	EU spatial policy documents ²	2↑	0↔	1↑	1↓	0↔	0↔
	EU urban agenda ³	1↑	0↔	1↑	1↑	0↔	1↑
	ESPON Programme	N/A	N/A	N/A	1↑	0↔	0↔

As illustrated above, certain areas such as competition and energy exhibit a consistent impact at both national and local levels in both countries. Similarly, there are resemblances concerning transport and environmental legislation. It is intriguing to observe that despite differing integration perspectives, the EU has influenced both Albania and Switzerland in similar ways. From this perspective, one could argue that Albania's eagerness to join the EU has been paralleled by Switzerland's endeavour to establish mutually beneficial cooperation with the EU.

However, when delving into the analysis of instrumental impacts, distinct differences emerge. With the exception of territorial cooperation, where Switzerland demonstrates a relatively high impact compared to Albania, most areas lack comparability. This divergence primarily arises from Albania's exclusion from participating in EU cohesion and urban policy, whereas Switzerland has forged bilateral agreements enabling its inclusion in certain policies and projects. Moreover, Switzerland has made contributions to specific areas of EU Cohesion policy, further accentuating the differences in instrumental impacts between the two countries.

Lastly, as emphasized, the EU discourse appears to have a significantly greater impact in Albania compared to Switzerland for two primary reasons. Firstly, Switzerland has only been partially engaged in the mainstream EU discourse, such as by submitting comments during the draft process of documents like the European Spatial Development Perspective (ESDP). The second reason is more path-dependent; indeed, Switzerland's spatial planning system has evolved comprehensively and integratively over the past century. In contrast, Albania's spatial planning system developed within the context of the communist bloc, necessitating alignment with the Western economic model and EU concepts within its discursive arena.

In conclusion, it becomes evident that the invisible sway of the EU can exert diverse impacts on the spatial planning systems of non-member states. This influence is contingent upon a multitude of factors, paramount among them being the country's inclination to engage with the EU. Additionally, the scale of resources received, which consequently affects economic conditionality leverage, plays a pivotal role. Furthermore, the domestic historical trajectory and path-dependent logics ingrained within the domestic context of each country significantly shape the extent of EU influence. By delving into these complexities, the paper explores the intricate interplay between external influences and domestic policies in the realm of spatial planning. Yet importantly, the paper shows that no country is immune from Europeanisation while the level of its absorption might differ. It underlines the importance of both the EU as a supranational organisation and domestic actors as facilitators or inhibitors of Europeanisation.

CRediT authorship contribution statement

Giancarlo Cotella: Writing – review & editing, Writing – original draft, Methodology, Investigation, Conceptualization. **Erblin Berisha:** Writing – review & editing, Writing – original draft, Methodology, Investigation, Conceptualization. **Alys Solly:** Writing – review & editing, Writing – original draft, Methodology, Investigation, Conceptualization.

Declaration of Competing Interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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