

# Cross-border territories

## Europe's laboratory

EXPERIENCES  
IN THE TERRITORIES

—  
TOOLKIT  
OBSTACLES AND SOLUTIONS

—  
ACTING AT  
ALL LEVELS





Europe is at a crossroads. It is a time of anniversaries: the 60<sup>th</sup> anniversary of the Treaty of Rome, and the 25<sup>th</sup> anniversary of the Maastricht Treaty and the beginnings of Interreg. And above all it is the time for new visions to invent the post-2020 Europe: a Europe which is facing unprecedented challenges, but regaining the trust of its peoples.

The MOT is celebrating 20 years of existence: an occasion for its network and technical team to take stock and think about the future of its activities, and more broadly of cross-border cooperation in Europe. The brochure published on this occasion presents the achievements of its members and partners by way of 20 experiences aimed at serving the inhabitants of cross-border territories ([Part 1](#)); the obstacles that have been overcome or that still pose a problem, and the toolkit developed to overcome them ([Part 2](#)); and lastly, the current challenges for Europe and its cross-border territories, and the political responses at the different levels of territorial action: local and regional, national, European and beyond ([Part 3](#)).

Most of the examples come from Western Europe, where the MOT and its network act on a daily basis; but the diversity of the borders discussed makes these examples stimulating for other borders in Europe and the rest of the world.

This brochure is the result of a collective work by all members of the MOT network and its technical team, managed by the working group “20 years of the MOT: outcome and perspectives for post-2020”, under the direction of Jean Peyrony, director general and Olivier Denert, secretary general, and coordinated by Silvia Gobert-Keckeis, policy manager European policies and MOT association, Alexandre Martin and Marie Dreffier, interns, and Blandine Lysensoone, policy manager for communication and documentation.

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[www.cross-border-territories.eu](http://www.cross-border-territories.eu)

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Over the past 20 years, there have been significant advances in cross-border cooperation, which have benefited the inhabitants of cross-border territories and enabled Europe to take concrete form there. I can testify to this, having contributed to it as a local elected representative in a border region and as the MOT's President. In the future, we need to aim for cross-border and European integration, and cooperation requires more support in order to overcome the remaining obstacles. A veritable laboratory for Europe, cross-border territories need a toolkit that is designed and implemented at the local, regional, national and European levels. The MOT – both its network of players and the technical team that assists their projects – has built up both sectoral and territorial expertise that has made it a major partner for players on the ground, but also for institutions at national and European levels.

Too many of our fellow citizens are still Eurosceptic, so we need to continue forging harmonious coexistence in cross-border territories and demonstrating that Europe is at work there. The discussions underway about what happens after 2020 should put cross-border integration at the heart of reforms.

Long live cooperation... for a concrete Europe dedicated to serving its citizens!



**Michel DELEBARRE**  
*President of MOT,  
Former Minister of State*



**Karl-Heinz LAMBERTZ**  
*President of the European  
Committee of the Regions*

Since the signature of a declaration of common interest in 2011, the links between the European Committee of the Regions and the MOT have gone from strength to strength. The MOT has affirmed its role as a leading partner on cross-border issues. By fostering European integration at local and regional levels, cross-border cooperation is a crucial component of the European project: it contributes on a daily basis to making Europe more visible in the eyes of its citizens within cross-border territories.

The European Committee of the Regions recognises the value added provided by the MOT through its support to players involved in cooperation and its engagement at all levels – local, regional, national and European – in the search for solutions to obstacles to cross-border cooperation. The European Committee of the Regions supports this engagement and encourages networking between all of the European players working across Europe, thereby creating a genuine European platform in support of cooperation.

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## PART 3

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**Ambitions for the  
future and political  
responses**

## 3.1. Cohesion policy post-2020

### a. GENERAL CONTEXT

The debate on territorial cooperation is part of a wider debate on the European Union, its future, budget and policies, especially cohesion policy.

The 2008 financial crisis and the economic recession that followed it are currently being overcome. However, the conditions that caused these crises (deficiencies in regulation, governance, etc.) have not gone away. In some countries such as France, the ensuing public funding crisis has led to reforms of national and territorial public action, focusing particularly on the necessary overhaul of public services.

Many countries and regions are experiencing a social crisis characterised by unemployment and growing inequality. The changes – globalisation, the digital and energy transitions, adapting to climate change – affect territories and population groups unevenly.

The demographic transition, with the drop in birth rates coupled with migratory pressure, remains a long-term structural issue that transcends the current crises on the eastern and southern external borders of the European Union and their consequences with respect to security and hosting refugees.

These painful crises and transitions have in turn engendered a crisis of confidence in institutions, and national as well as European citizenship crises, with a surge in nationalist and anti-European rhetoric focusing on the closing of borders and the reclaiming of national sovereignty. The protests include a strong territorial dimension, as shown by the electoral maps of recent votes such as the Brexit referendum and other national elections. The anti-European vote is not so much the vote of the “poor” as of the “pessimists”, who retreat into old identities and fear social and territorial mobility.

The strengthening of European integration will provide the solutions to these different crises, even though a section of national public opinion thinks differently. The European Union has thus far been able to guarantee peace and a level of prosperity on its territory, and has a shared history and destiny. What policies should be developed to gain the support of the European population as a whole?

### b. COHESION: ORIGINS, OBJECTIVES AND CURRENT POLICY

The founding fathers purposely initiated European construction with the European market (competition and free movement), industrial Europe (the European Coal and Steel Community – ECSC) and functional Europe (trans-European networks, so-called sectoral policies). In the immediate aftermath of the war, they sought to set aside latent political conflicts among Member States jealous of their sovereignty, and start with “concrete achievements” to win over citizens. Jean Monnet sought “not to merge States, but unite people”. His plan was to move forward with a civic Europe, which was partially achieved with the European Parliament and European solidarity, expressed through the objective of cohesion and implemented through the policy of that name. Other components of European construction gradually evolved: the Europe of public opinion (European media), of culture, and of interpersonal connections, symbolised notably by the Erasmus programme.<sup>34</sup>

European territorial organisation is characterised both by its unity (model of the European city) and its diversity, and even fragmentation (Member States of very different sizes, systems of local government that remain within central governments’ jurisdiction). It was to implement European integration in this fragmented institutional context that cohesion policy, spearheaded notably by Jacques Delors, took shape. The “Delors Package” was founded on two pillars: the completion of the single market, and cohesion policy, whose objective was to incorporate countries and regions (economic cohesion)<sup>35</sup> and people (social cohesion)<sup>36</sup> into the market. Territorial cohesion subsequently took into account the diversity of territories and levels of action, of social and territorial (not merely economic) capital, and the interdependence of territories. The principles established over 25 years ago have been enlarged on by successive reforms of cohesion policy: shared management (the only way of funding local investment in the absence of a European federal government) within multi-tiered governance; and an integrated approach,<sup>37</sup> aimed at making the actions of the European Union visible to citizens on the ground.

However, this policy has not fully succeeded.<sup>38</sup> Some citizens feel that national or local values are under threat, and have little confidence in the public authorities. Structural reforms are too often conducted without taking the territorial context, the know-how and preferences of inhabitants into account. A territorial approach targeting people where they live, for example equality of territorial opportunity, must be promoted to address this. This approach requires innovation, based on the capacity-building of local players, and also opening up to external knowledge and experiences. Hence the need for the intervention of external authorities (governments, Europe) and exchanges with other European territories, made possible by cohesion policy. The policy should contribute to funding development, through a process regulated by the Commission, based in each territory on a vision of the future shared by politicians and all other local stakeholders, and on obtaining measurable results for the well-being of citizens and under their control.

While the current framework of cohesion policy is underpinned by these principles, its implementation does not sufficiently involve elected representatives and citizens; the objectives and results of policies are not adequately shared and discussed.

### c. A NEW VISION FOR EUROPE, REDESIGNING EUROPEAN COHESION

Is cohesion policy still the appropriate response to the challenges cited above?

There have been regular calls for a review of the current structure of the European budget and of this policy in particular.

The policy principles established over 25 years ago remain relevant, even if new expenses (energy, security, migration) must be funded in a context where increases in the European Union budget are a sensitive topic.

Ten years of crises have shown up the need to implement European cohesion in all of its dimensions: the single market Europe, the functional Europe of trans-European networks, and the civic Europe of the European Parliament.<sup>39</sup> And also to create a Europe of public opinion (European media), a Europe of interpersonal connections (Erasmus), and an inspired Europe (cultural, “moral and spiritual” heritage) with common roots and a shared vision of the future, in short, a shared narrative, albeit woven from multiple threads. Policies carried out by governments and regions must be the foremost instruments of this cohesion, supported by the European policy conducted in this area.



For the principles of this policy to be fully effective, European, national and regional authorities must demonstrate their commitment alongside local officials and populations in the territories, through a **social contract**<sup>40</sup> between citizens and the European Union that respects the diversity of national social contracts and takes the form of “**local pacts**”.<sup>41</sup> **Shared knowledge of policies** implemented and **citizens’ participation** must be ensured; and an external impetus must be given both by the European Commission, which needs to have the resources to provide expert intervention on the ground, and by networking with other territories supported by the European Union.

In other words, public policies must be aimed not only at the individual economic agent, the user of public services, the citizen with rights and responsibilities, but also the relational, informed and inspired being, in short **the person**.<sup>42</sup>

<sup>34</sup> These six dimensions of European construction (market, industrial, civic, opinion, inspired, and interpersonal) echo the six “cities” identified by sociologists L. Boltanski and L. Thévenot in their book “On justification. Economies of worth”.

<sup>35</sup> Aimed at convergence as measured by regional per capita GDP, through the European Regional Development Fund (ERDF).

<sup>36</sup> Aimed at increasing the employment rate and inclusion, through the European Social Fund (ESF).

<sup>37</sup> “Integrated bundles of public goods”, to quote F. Barca in his 2008 report.

<sup>38</sup> See F. Barca, lecture given at the Cohesion Forum in June 2017.

<sup>39</sup> By inventing a new “industrial civic” European compromise, to use L. Boltanski and L. Thévenot’s expression, that is both functionally (French approach) and institutionally (German approach) ambitious.

<sup>40</sup> F. Barca.

<sup>41</sup> Speech by Jacques Mézard, France’s Minister for Territorial Cohesion, at the Cohesion Forum in June 2017. Local pacts would take into account local particularities and would enable an approach that is differentiated according to the territory. This concept is also used in the EU Urban Agenda, and will be tested and developed in the Urbact pilot initiative and generate guidelines for the future.

<sup>42</sup> P. Ricoeur.

## 3.2. Cross-border territories and the issue of European territorial cooperation (ETC)

Cohesion policy must be safeguarded. However, with the exception of these players directly involved in Interreg, publications or statements on this issue merely skate over, or even entirely ignore, the issues of territorial cooperation, even though it is at the heart of the European integration project. The Seventh Report on economic, social and territorial cohesion, published by the European Commission on 9 October 2017 underlines that borders still constitute obstacles to the free movement, disposal of such obstacles might boost economic growth and improve access to services in the affected regions.

### a. THE GENERAL CONTEXT FOR BORDER REGIONS

In situations of crisis and transition, land and sea border regions are places where symptoms are revealed, but also where opportunities can be seized. Each border brings into contact national public and private systems that are fundamentally different but face common challenges. The border may highlight differences or even flaws in national policies, but also make convergence possible for the benefit of all: shared services, adapting standards to ensure their interoperability, new cross-border transport and energy infrastructures, cross-border clusters, creative management of a shared environment, and even the emergence of cross-border and European citizenship. The border is a place of competition, but also of cooperation, where the movement of people, goods and services, capital, and also ideas, creates innovation and wealth. It is an emblematic site of the “glocal”, like the large metropolises, which combine mobility and specific territorial capital. The absence of common regulatory policies can generate serious social and territorial segregation, but where such policies are implemented, the value created can be shared for the benefit of all. Lastly, and perhaps most importantly, cross-border territories, the **meeting places** along a border between two (or more, within cross-border or macro-regions) **distinct national communities**, or sometimes linguistic or cultural communities previously separated by the border, are a test for the European project itself. On each border, European peoples, their governments and territorial authorities, either invent a shared narrative based on their – at once different and common – histories, and a shared vision of their future, or they shall conclude that the only course is divorce.

### b. BORDER REGIONS AND ETC: ORIGINS AND CURRENT POLICIES

Cross-border cooperation developed in parallel with European construction, which has maintained peace among European peoples, fostered free movement across national borders, and funded Interreg from 1990 onwards.

From the 1950s, obstacles to cooperation have been overcome through three types of actions:

- the emergence of cross-border **governance** at different levels, that is, local (cross-border territories), regional (Euroregions), or even larger (what are now called macro-regions). This governance may take varying, more or less institutionalised forms depending on the geographical, socio-economic, political and cultural contexts. Beyond economic integration (growth in trade), it also links other dimensions: civic (engagement of elected representatives and citizens across borders), functional (cross-border coordination of local players on joint projects), informational (construction of shared knowledge), cultural (shared heritage or vision), and interpersonal (links between people). This governance evolved from the grassroots, and was subsequently structured by legal tools (Madrid Convention, EGTCs, etc.).
- **coordination** of national systems across borders, with states remaining the custodians of distinct political and legislative systems that need to be made interoperable. This coordination has always existed, even if European awareness of its necessity had to wait until the emergence of macro-regional strategies, then in 2015 the Cross-Border Review launched by the European Commission, as well as the proposals to resolve obstacles to cooperation made by Luxembourg during its presidency of the Council of the European Union in 2015.
- the **financial support** provided by the European Union to cooperation (Interreg), in its cross-border, then transnational and interregional dimensions. At the European level, the Interreg tool has hitherto often masked the first two dimensions. The current challenge is to fully develop their synergies, and multiply projects designed to serve cross-border inhabitants and territories.

Thus, the “bottom-up” European construction represented by territorial cooperation echoes “top-down” construction. It is aimed at all facets of individuals: the cross-border productive economic **agent** (employee or entrepreneur) and consumer, the **user** of cross-border services, the **citizen** with rights and responsibilities also in the context of crossing the border, as well as the **relational being**

(engaged in cross-border relationships), the **informed individual** (through cross-border media) and the **inspired individual** (conveyor of cultures and vision that transcend the border): in sum, it is aimed **at the whole person**, whose identity is not fixed at birth, but is constructed throughout the narrative of his or her life, and by the borders he or she crosses.

### c. THE FUTURE OF CROSS-BORDER TERRITORIES AND ETC

In what follows we focus on cross-border cooperation, even though what is said about cross-border territories may be transposed to larger transnational areas such as macro-regions (the Baltic, Danube, Alps, etc.).

We need to have **cross-border territories that are active and smart**, open to exchanges of all kinds (cross-border workers, entrepreneurs and consumers); **functional and sustainable**, supported by integrated infrastructures and services; **civic and equitable**, led by elected representatives and citizens engaged across the border and implementing cross-border cohesion; **informed**, sharing joint knowledge of their territories (cross-border media: TV, newspapers, internet, e-democracy, cross-border maps); **inspired**, sustained by a shared culture and vision of their past and future (shared history books, cross-border educational projects, networked universities); and most of all, **human**, bringing people together across borders.

This project is inextricably linked to that of European integration which makes it possible. **Interreg is a funding tool**, which must be placed in the larger context of the European project and its policies, especially cohesion policy, which serve inhabitants in their territories. Jacques Delors’ vision remains relevant today: Europe embodies competition that stimulates, cooperation that strengthens and solidarity that unites. **Cohesion** must be **economic, social and territorial**. It should be aimed at people in their territories, increasing the opportunities there and the social and territorial capital specific to these territories, without however impeding the growth in mobility and the multiple functional interdependencies created by globalisation, which the European project makes possible to regulate. In other words, territorial cohesion is also **inter-territoriality**, cooperation between neighbouring or distant territories, of which cross-border cooperation is emblematic. It is in this specific sense that cross-border territories may be considered **laboratories for Europe**. In border regions, cross-border integration is characterised by a three-tiered – local/regional, national, European – territorial system in which:<sup>43</sup>

- cross-border local/regional areas are where inhabitants live their lives, and where territorial governance and public policies that serve them and are under their control must be developed;
- the national area remains that of political cohesion and the social contract, where a country’s citizens define their rights and responsibilities, frameworks for laws and public policies, in collaboration with other states;
- Europe, with its institutions and specific policies that give strategic impetus, is the shared horizon of its Member States.

Cooperation is therefore developed in a multi-tiered framework, which cohesion policy seeks to support.

#### CONSTRUCTING CROSS-BORDER TERRITORIES AND EUROPE ON THE BASIS OF NEW NARRATIVES

Beyond the policies that need to be implemented at different levels to construct Europe and cross-border territories, the challenges of the future require universal support for cooperation. This can be achieved through projects aimed at people – not only economic agents, voters or users.<sup>44</sup>

Today, the narratives<sup>45</sup> of the inhabitants of cross-border territories are often split along the two sides of the border.<sup>46</sup> In the future, each border inhabitant’s narrative, and that of each European, will meld with new collective narratives: joint visions of our both shared and different national pasts, and our shared future. This process, which does not rule out differences and rivalry, and even controversy, between national visions, is the foundation stone of the European process itself. The cross-border context lends itself most particularly to such work.

A country’s border remains a sacred place that is little, or badly, thought about.<sup>47</sup> It is the demarcation line that links each country to itself, and where countries turn their backs on each other.<sup>48</sup> This is most particularly true for borders that have recently experienced conflicts, but also for all others – because indifference may follow reconciliation, at a time when proficiency in the language of the neighbouring country is waning in border regions, etc. Translation is however the common language of Europe.<sup>49</sup>

Europe is a reality that pre-exists the nation states; it is in itself a “borderland”.<sup>50</sup> This is manifest in cross-border territories. The challenge for nation states is not giving up their sovereignty, but rather building together a European sovereignty, a transnational, not post-national, citizenship. What is needed is to develop a vision of the “common good” that is shared but pluralist, that respects cultural and institutional diversity. Each of our countries embarks on the construction of its area and its common good, by interlinking the roles of the market, public authorities and civil society in its own specific way. Players involved in the cross-border and European integration process have agreed to merge their national visions to construct a common area. National identities were created,<sup>51</sup> and a European identity can also be forged based on nation states. On each border and across Europe as a whole, intercultural dialogue must be engaged in, to learn about the narratives and heroes of neighbouring countries, and jointly weave new personal and collective narratives.

<sup>43</sup> Echoing the vision set out by F. Barca.

<sup>44</sup> It is the only way to prevent the experience of the British voter quoted by Le Monde on 22/6/2017 whose heart voted for Brexit, his wallet against it and his head did not know.

<sup>45</sup> According to the narrative identity concept developed by P. Ricoeur.

<sup>46</sup> See “Frontaliers pendulaires, les ouvriers du temps”, M. Veullermet, 2016.

<sup>47</sup> The “horizontal transcendence” of the nation state (P. Beckouche); the “anti-democratic condition of democracy” (E. Balibar).

<sup>48</sup> The word “boundary”, expresses this concept. Today, states retain not only the monopoly of the legitimate use of violence (M. Weber), but also of statistics and the construction of reality (L. Boltanski).

<sup>49</sup> U. Eco.

<sup>50</sup> E. Balibar.

<sup>51</sup> See AM. Thiesse, “La création des identités nationales”.

## 3.3 Political responses: context and roadmaps for the future

The European Union has launched a reflection on the post-2020 period. Several countries, including France, have initiated crucial reforms to public action. It is important to place this in the current context, which is characterised by significant progress in the area of cross-border cooperation, and to propose roadmaps for the future, at different levels.

### a. RESPONSES AT LOCAL / REGIONAL LEVEL

At a time when some of France's neighbours are developing dynamic cross-border policies (particularly Germany), and others have embarked on territorial reforms (notably Belgium and Italy) that have reshaped the links between central government and territorial authorities, the new relationships between the French government and territorial authorities must also take into account developments in cross-border cooperation with neighbouring countries.

#### TERRITORIAL REFORM IN FRANCE AND NEIGHBOURING COUNTRIES

France's territorial reform in 2014 and 2015 has given French territorial authorities fresh impetus. French regions are now developing SRDEII<sup>52</sup> (with the possibility of including a cross-border aspect) and SRADDET.<sup>53</sup> This gives them similar powers to those of the regions or federal states of neighbouring countries. The three border metropolises (Lille, Strasbourg and Nice) are drawing up cross-border cooperation plans. France's departments are developing public service plans. At the regional level, the territorial conferences for public action coordinate the various authorities, and have the power to tackle cross-border issues.

Thus, with extended powers – and in some cases extended geographical areas – the role of the different territorial authorities has been reconfigured, which has led to rethinking the action of the deconcentrated state to support them. President Macron<sup>54</sup> has called on central government to reinvent its role in the face of this transition, to differentiate its actions in accordance with territorial realities, review public policies with an eye to giving more freedom to territories, and even experimenting with new public service policies and modes of organisation. The right to experiment will be simplified, notably by removing the obligation to generalise experimentations. Central government will be able to devolve its powers in the areas of economic, social and spatial planning, if this is justified by local interests. This devolution may be accompanied by a transfer of regulatory power, and the adapting of legal standards to local realities. In border regions, the standards in force in neighbouring countries could be systematically examined, in order to assess the effectiveness of standards in France. These guidelines clearly echo the proposals of the working group set up by Luxembourg and France (cf. 3.3.c).

<sup>52</sup> Regional Plan for Economic Development, Innovation and Internationalisation.

<sup>53</sup> Regional Plan for Spatial Planning, Sustainable Development and Territorial Equality.

<sup>54</sup> Speech to the territories conference, 17/07/2017.



### Governance and projects

The development of cross-border territories through projects serving their inhabitants calls for the setting-up of cross-border governance that ensures synergy between the different players involved. In the sphere of public action, this entails ongoing actions in the area of territorial technical assistance to facilitate both cross-border daily life and the rebuilding or emergence of a culture, vision and social life shared by inhabitants. Cross-border governance occurs at the local (cross-border territories, for local functions) and regional levels (Euroregions, for higher-level functions).<sup>55</sup>



- Carry out **sectoral and integrated development projects** at the level of “cross-border territories” for the benefit of their inhabitants: “**cross-border pacts**”, as a variation of “**local pacts**” (see 3.1.c).
- In each cross-border region, implement what is possible **under existing laws**: administrative **coordination**, organisation of **cross-border governance** (political leadership), improving **knowledge of one another**, observation and prospective, **pooling of public services**, cross-border project development.
- Take the border context and existence of neighbouring territories into account in the **strategic documents** at all levels of territorial authority (and deconcentrated government departments).
- Develop **cross-border experimentation**.
- Create places for ongoing **training** and **capacity-building** in the area of cooperation, in order to increase intercultural competencies and capacity to cooperate.
- Encourage proficiency in the **language of the neighbouring country** in primary, secondary and higher education systems, and adult education programmes.
- **Develop cross-border and European citizenship** through a common curriculum for history (example of the Franco-German history book) and culture, while identifying differences across the border; develop cross-border media.
- Promote cross-border areas as laboratories for European citizenship.
- Foster **cross-border mobility** of school children, apprentices, students, workers, etc.
- Develop **participation**, people-to-people projects and encourage civil society to cooperate in order to create links and build mutual **trust**.

### b. RESPONSES AT NATIONAL LEVEL

New policies have been launched at the national level to improve cross-border strategies and policies.

#### A STRATEGY FOR CROSS-BORDER COOPERATION AND INTERMINISTERIAL COORDINATION DRIVEN BY THE “DIPLOMACY AND TERRITORIES” WHITE PAPER

In 2009, three French parliamentarians<sup>56</sup> were charged by the Prime Minister with identifying ways to improve France's cross-border policy. In June 2010, they submitted their report entitled “Mission parlementaire sur la politique transfrontalière: Les frontières, territoires de fractures, territoires de coutures...”. With 19 concrete proposals, this document broadly outlined a cross-border policy to correct imbalances between territories on both sides of the border. The recommendations of the parliamentary report were not immediately executed; however, implementation of a few recommendations, such as the border regions observatory was initiated, with the support of the MOT. It was not until 2016 that the most prominent recommendations took shape, with the drafting by the French Ministry of Foreign Affairs and International Development of the **White Paper “Diplomacy and Territories”**, approved on 23 November 2016 by the National Commission for Decentralised Cooperation (CNCD). The paper aims to strengthen the **coherence** of France's diplomatic initiatives and those of the territorial authorities, through better coordination of the various tools and institutions that support the external action of territorial authorities. This strategy document notably presents an assessment of the current situation, the issues at stake in the internationalisation of territories and 21 concrete proposals to improve the partnership between central government and the territorial authorities. ▶

<sup>55</sup> This approach, which is part of “integrated territorial development” should be fully supported by national and European policies, both by developing specific legal tools such as the EGTC and by stepping up programmes, see below.

<sup>56</sup> Etienne Blanc, MP – Ain, Fabienne Keller, Senator – Lower Rhine, and Marie-Thérèse Sanchez-Schmid, MEP.

In addition to highlighting **cross-border cooperation economic issues**, the White Paper devotes an entire chapter to setting out a **“strategy for cross-border cooperation”**. The strategy is broken down into four core areas:

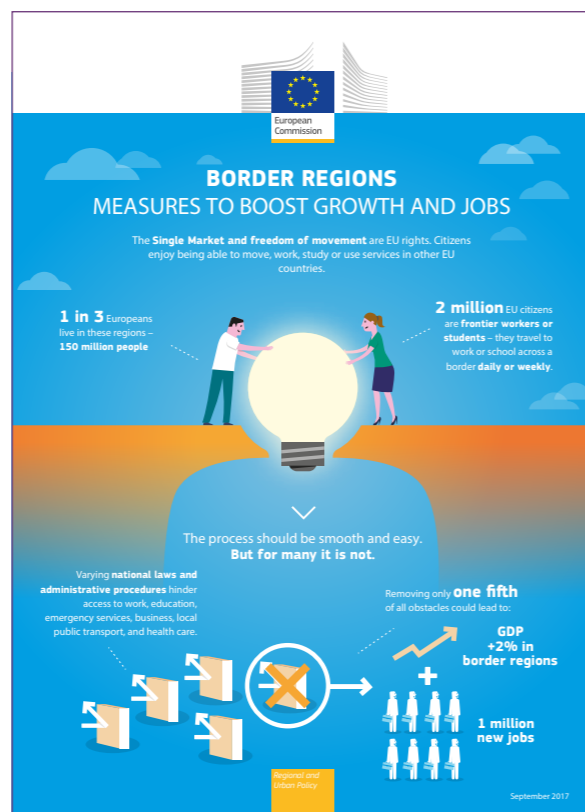
- Developing a new coherent strategy to bring together all of the players involved and strengthen cross-border governance;
- Drawing on the diplomatic advisors of the prefects of the region;
- Strengthening the MOT (Transfrontier Operational Mission);
- Better mobilising all of the players involved.

In each region in order to support cross-border cooperation, **diplomatic advisers** support the prefects and the State services, and mobilize other actors and particularly local authorities. At the national level, a **Committee of interministerial coordination on cross-border issues** is set up. The first meetings of the group in charge of setting up the committee, which were held in 2017, confirmed that improving cross-border cooperation passed via a strengthening of the coordination of the actors, both at the level of the bilateral relationship with neighbouring States, and at national level between the ministries in charge of public policies, concerned by the territories, and with the local authorities. In the line of the recommendations of the White Paper, an interministerial “instance” could be created and roadmaps could be adopted for each border and its cross-border territory.

Spanish Cerdanya Hospital in Puigcerdà, see Part 1), **obstacles of all kinds** – economic, legal, administrative, technical, but also political, cultural and human – **increasingly emerge as integration progresses**. The obstacles, whose effects extend beyond the local cross-border territory, are resolved one by one by the project. While these obstacles are familiar to local cooperation practitioners, their identification, and pinpointing of the tools required to resolve them, have come later at the national and European levels. Cross-border territories also remain the business of governments, not only as regards authorising their territorial authorities to act, and implementing to support them, but also in terms of the internal and external coordination discussed above.

### ACTIONS TO BE TAKEN

- **Support the cooperation** of local and regional players.
- Make better legislation at the national level and take account of the **impact of new laws** on cross-border territories.
- **Mobilise elected representatives** (notably members of parliament in each country) to pinpoint difficulties and propose solutions.
- In each country, have a cross-border **contact person in each ministry**.
- Organise **thematic monitoring and steering** for each border, and **interministerial and horizontal coordination** among the ministers in charge of “sectoral” policies, and **vertical** coordination with regional and local players.
- **On each border**, implement cooperation between neighbouring countries in their areas of competence, to coordinate their legislation, strategies (or even change them), funding and statistical observation in all sectors.



“Border regions, measures to boost growth and jobs”, European Commission, 2017 / © European Commission

## C. RESPONSES AT INTERGOVERNMENTAL / EUROPEAN LEVEL

At the intergovernmental and European level, two major initiatives set the course for the future of cooperation.

### EUROPEAN COMMISSION – CROSS-BORDER REVIEW AND THE OUTLOOK POST-2020

The **“Cross-border Review”** launched by DG REGIO in the autumn of 2015, analysed the administrative and legal obstacles that persist along the European Union’s internal borders. It was structured around three pillars: a three-month-long public consultation that received more than 600 replies; a study aimed at compiling an inventory of 240 obstacles; and four workshops with key stakeholders. **Administrative and legal obstacles** are the most significant obstacles, followed by **obstacles linked to language and culture**, and those relating to **cross-border mobility and accessibility**. The findings of the Cross-border Review were the subject of a **communication (“Boosting growth and cohesion in EU border regions”)** by the European Commission on 20 September 2017, which set out new proposals, in particular a “border focal point” at the European Commission, and an online professional network concerned with cross-border cooperation issues.

### INTERGOVERNMENTAL WORKING GROUP ON INNOVATIVE SOLUTIONS TO CROSS-BORDER OBSTACLES – DESIGNING NEW TOOLS

Following Luxembourg’s presidency of the Council of the European Union (second half of 2015) and its proposal to create a new legal tool dedicated to cross-border cooperation, a working group on innovative solutions to cross-border obstacles was set up by Luxembourg and France. The MOT provides its technical secretariat.<sup>57</sup> A new legal tool, known as the **European Cross-Border Convention (ECBC)**, would be aimed at authorising local application of a national standard in a neighbouring country to enable the setting-up of a cross-border project. The working group received its mandate under the Dutch presidency (first half of 2016) from the director-generals for spatial planning and urban policy. It held five meetings between 5 July 2016 and 30 May 2017. Designed to be an intergovernmental platform in dialogue with the institutions of the European Union (European Commission, European Parliament, European Committee of the Regions and the European Investment Bank), and the local authorities represented notably by the Association of European Border Regions (AEBR) and the CESCO (see 2.2.b), the group’s remit is to address innovative solutions to obstacles to

cross-border cooperation. The findings of the European Commission’s Cross-border Review (see above) and studies of cases of obstacles to cross-border cooperation were at the heart of their discussions. Testimonies from intergovernmental and transnational organisations were also gathered.

The working group explored the **toolkit** of existing solutions to obstacles to cooperation, developed and tested the legal basis and value added of the **legal tool proposed by the Luxembourg presidency**, and recommended the setting-up of a **multi-level European platform for the resolution of obstacles** (see below). The results of its work are intended to be the starting point for a European legislative process which the European Commission could take up.

This group could be made permanent to enable it to monitor the development of the Commission and different countries’ initiatives with respect to combating obstacles to cooperation, such as those referred to above, or the coordination of cross-border observation, in accordance with the perspective opened up by the Cross-border Strategic Committee (see 2.2).

57 See the MOT’s website.

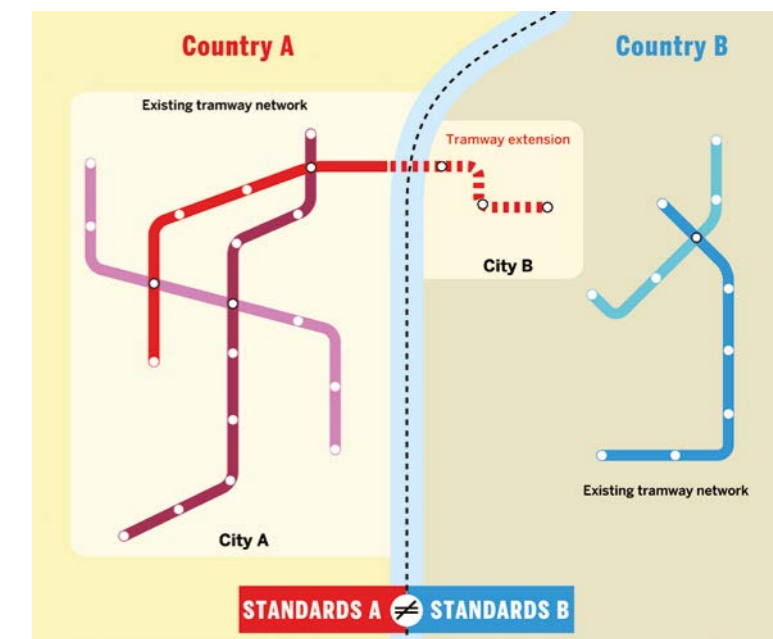


Illustration of the European cross-border convention (ECBC) / © Mission Opérationnelle Transfrontalière



## Coordination (in the intra-national context and between countries)

All local territories need openings onto the outside, which are made possible by cooperation with other territories and higher administrative levels. The same is true for cross-border territories, where national frameworks remain prevalent, even in federal states, where the border remains the meeting point for spheres that are politically, administratively, legally and culturally different.

All governments must set up their own **specific coordination** for issues concerning **cross-border territories, which are on the periphery of their countries**.

The significance of coordination on each border with a neighbouring country goes beyond that of the cross-border territory, while drawing strength from local cooperation. In the development process of a cross-border facility or service (e.g. the Franco-





## Interreg and beyond

The achievements of cohesion policy legitimise the European level as the one that should determine the strategy, the major policy aspects, and its steering and evaluation. The **community approach** (cohesion policy, but also other policies that need to take account of cross-border issues and that need to be coordinated) should be combined with the **intergovernmental approach** (coordination of governments across Europe). **Interreg is an indispensable tool** on all of Europe's borders to strengthen partnerships and **carry out joint projects**, but also **bringing peoples together** and constructing Europe on the ground in local territories. It needs to be reaffirmed, notably with respect to the "old borders" of Western Europe. We need to step up our vigilance: new generations are coming which often do not learn the language of the neighbouring country, and do not see the importance of reconciliation between neighbouring peoples. Cross-border territories need to remain at the heart of programmes, with a **political vision** for the medium and long term. Territorial authorities, national governments and European institutions need to learn the lessons from each project and to work, each at their level, towards the **construction of Europe**, the original purpose of Interreg.



## At the level of Interreg programmes

- Improve **knowledge of cooperation programmes**, their functioning and achievements among all of the stakeholders: public, private and civil society players, so that everyone can understand Europe, with its frameworks, capacity to provide funding, and above all its value added.
- **Increase funding for ETC**, but also its role as a **catalyst** and incubator (for example, by fostering the funding of cross-border infrastructures via border regional or national programmes).
- **Coordinate ETC programmes** among themselves (work of joint secretariats, enhanced territorial coordination, etc.) and with other regional and national programmes.
- Allocate **funding by border**, and focus it on projects that have an impact on the border territory, while retaining the flexibility needed.
- Strengthen the **role of cross-border authorities and groupings** in programmes, in order to build cross-border territories and regions, notably **through integrated territorial development tools; develop cross-border planning and prospective**, in order to envision the future together with one's neighbours and within the framework of Europe.
- Develop **innovative forms of cross-border territorial governance** by means of cross-border territorial technical expertise, with support from programmes.
- Develop **cross-border impact analyses** and specific indicators of cross-border integration that take into account not only the socio-economic impacts of projects and policies, but also the links between people, the ability to cooperate, etc.

- Make mandatory the launching by Interreg programmes of **permanent observation** activities to provide data, notably on cross-border flows.
- Improve and constantly maintain the process of getting to know one another, **mechanisms for cross-border information** and consultation, and strengthen the feeling of belonging to a common territory.
- Develop **the funding by micro-project funds of people-to-people projects** aimed at civil society players, implemented by the governance structures of cross-border territories.
- Have programme managers communicate about the difficulties encountered in the implementation of projects to national administrations and elected representatives, as well as to the relevant DGs, to enable better account to be taken of the reality on the ground.



## Beyond Interreg programmes

- Ensure that account is taken of border issues by **European sectoral policies** and that they are coordinated; make better legislation (taking account of the impact on cross-border territories of new legislation).
- **European Parliament**: ensure account is taken of these issues by the different committees and dialogue with national parliaments.
- **European Committee of the Regions**: ensure account is taken of these issues by the different commissions; draw up cross-border impact analyses.
- **European Council**: regularly raise cross-border issues at the General Affairs Council and in the informal meetings of ministers (territorial agenda); working group on cross-border issues (see Luxembourg's presidency in 2015).
- Add a coordination dimension to the role of the **European Commission**: inter-service processes (as is already the case for macro-regions and urban policy to be extended to cross-border cooperation); impetus with respect to observation and the resolution of cross-border obstacles (see the establishment of a "border focal point" decided by the Commission following the Cross-border Review).
- Pursue cohesion policy, with greater synergy between ETC and regional programmes; put cross-border territories at the heart of this policy (in particular by coordinating on each border the drawing-up and monitoring of partnership agreements, etc.).
- Strengthen European programmes aimed at **networking** and applied research – Interact, Interreg Europe, Urbact, ESPON – and ensure that they take better account of the issue of cross-border integration.
- Develop **legal tools** for cross-border projects and territories (EGTCs, etc.).
- Develop **new tools** like the one proposed by Luxembourg (the European Cross-Border Convention – ECBC).
- **Set up a multi-level platform for the resolution of obstacles.**

### MULTI-LEVEL EUROPEAN PLATFORM

This platform is aimed at fostering exchanges and coordination between the different organisations that work for cross-border cooperation (the AEBR at the European level, the MOT on France's borders, the CESC on Hungary's borders, the Nordic Council in Northern Europe, cross-border regions such as the Upper Rhine, the Greater Region and the Meuse-Rhine Euregio, and institutes and universities such as the ITEM and Euro-Instituts, etc.). It should act to support the legal tool proposed by the working group. It will make it possible to:

- carry out actions on each border to support local and regional players;
- facilitate the sharing of good practices in order to remove obstacles, drawing on the approach of the MOT's forum;
- identify remaining obstacles more easily, with support at national level and coordination between neighbouring countries;
- support the intergovernmental process by pursuing the work of the above-mentioned working group;
- support the European level through the creation of a European database of obstacles and solutions; to be reflected on in relation to the proposal for an online professional network made by the European Commission in its communication in September 2017.

In particular, the MOT will play an active role in facilitating the resolution of obstacles to cross-border cooperation through the multi-level European platform that is to be set up.

### ONLINE FORUM ON OBSTACLES TO CROSS-BORDER COOPERATION

The MOT is setting up an online forum dedicated to its members and partners. This interactive forum, coordinated by the MOT and its network, is focused on the identification of cross-border obstacles, the search for and sharing of solutions, and more generally direct exchanges between members about different issues aimed at meeting needs on the ground. Over the longer term, the forum's objective is to feed back to the national and European levels the needs and obstacles to cooperation that prove to be recurrent, to enable them to be addressed. The MOT's forum will also be a place where resources and documentation relating to obstacles can be shared, with a view to their resolution with the relevant levels of governance, and where good cross-border cooperation practices can be promoted. The typology of the obstacles discussed are inspired by existing analyses. The forum could be extended to include other borders within the framework of the multi-level European platform.

## d. THE ROLE OF THE MOT

On **each of France's borders**, the MOT contributes to the specific partnership there, by engaging with the players present, and by supporting cross-border initiatives and tools. It is involved in cross-border strategies, observation, technical assistance, capitalising on cross-border achievements, and training. With the support of its network, the MOT will continue to work alongside the other players present to ensure that border issues are better understood and better account is taken of them.

The MOT also acts through the support it gives **to the national level in France** (interministerial coordination), **to other governments** (Luxembourg, Andorra, Monaco, etc.) and more generally through its contacts with the governments of France's neighbours and other governments in Europe. It will endeavour to act as a contact point in the establishment of coordination between countries (intergovernmental working group).

**At European level**, the MOT is involved with the initiatives taken by the different institutions: the European Committee of the Regions within the framework of the joint statement signed in 2011 (EGTC Platform, interregional group on cross-border cooperation), the European Parliament, with the parliamentary working group on cross-border cooperation, the European Commission, the EIB and the Council of Europe.

