



Mission
Opérationnelle
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EUROMOT

**RESEAU EUROPEEN
D'AUTORITES LOCALES
TRANSFRONTALIERES**

**Contribution
of MOT and EUROMOT
on the Green Paper
on European Territorial Cohesion**

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The European territorial cohesion policy represents an opportunity not only to enhance the efficiency and coherence of sectoral community policies, but also to secure the harmonious development of European territory by valuing the diversity which is so much part of its character, especially when compared with other large regions of the world.

This entails making up for structural disadvantages, reducing handicaps in terms of accessibility and ensuring the development of respective potentials, without however making uniform European territory. The value of its diversity is inestimable both for its framework which meets a variety of needs, and in order to avail of a wide spectrum of solutions which can be adapted to different and ever-changing situations. This ability is one of Europe's key competences in a global context.

In addition to mobilising the potential and the talent existing in each territory, it is becoming increasingly important to go beyond the political and administrative framework in order to activate all available forces in each territory, be it in the economy, in civil society, the world of culture and creation, or in research: this is also a prime condition for all governance, which means a joint and concerted action within a territory for the benefit of its inhabitants and its enterprises.

But, **Europe will only be accomplished if it works along its seams**. And European diversity will only be perceived as an opportunity (rather than as a sum of its differences) **if it proves its worth along its borders**. The credibility of European action and that of the States involved largely depend on the progress of European construction **in the development of cross-border territories and of the living conditions of their inhabitants**.

This issue overlaps with the opportunity that these territories represent in their ability to play the **role of European laboratories**, to test new phases of integration and therefore to be themselves the **driving forces of European integration**. All of this has a double objective, that of economic development and territorial cohesion.

With the opening of a debate on the Green Paper on territorial cohesion, the Commission has chosen to mobilise and value the wealth of experiences from different actors, which MOT and the EUROMOT network fully welcome.

For this reason MOT and EUROMOT wish to contribute to this reflection on the basis of their concrete experience in terms of cross-border cooperation and their know-how, supported by their large European network, to respond to the questions below submitted by the European Commission.

QUESTIONS FOR DEBATE

The questions listed below cover the main issues described in this Green Paper and define the scope of the debate it is intended to initiate. The Commission will provide a synthesis of this debate in late Spring 2009.

1. Definition

Territorial cohesion brings new issues to the fore and puts a new emphasis on existing ones.

- (1.1) *What is the most appropriate definition of territorial cohesion?*

The territorial cohesion policy contributes with a response to a territorial issue and an issue of cohesion: in order to resolve the problem of a lack of the spatial dimension in sectoral policies, a territorial approach is required. It is not an approach creating new borders but an approach with both a vertical and horizontal functional coordination, of a variable geometry which will integrate the different issues in the best way possible.

As to the cohesion issue, it needs to find a compromise between the needs to compensate for unacceptable disparities and the dangers of down-levelling, discouraging the driving forces of development. In effect, many of what are known as "strong" territories incorporate problem areas (for example, industrial reconversion areas) which raises the question of the pertinence of the scale of intervention.

To valorise the potential resulting for example from the diversity, should be an objective of the cohesion policy just at the same level as the notion of compensation and balance should be. Each territory should be helped in the construction of its future from its territorial capital. Therefore, there is a need to not only take into account the territories faced with geographical disadvantages but also those territories, whose potential lies in their diversity and which face obstacles to their development due to human factors (administrative limits, linguistic and cultural barriers, etc.) and are therefore more easily surmountable: **cross-border territories**.

The current definitions of territorial cohesion imply equal opportunities and equal quality of life between the territories of the European Union. This is a special issue in cross-border areas where wide differences in terms of situations and sensitivities live side by side. Furthermore, equivalence raises the question of values, which in a cross-border framework, very often differ.

In terms of objectives, the common denominator should be that the chances of development one wishes to ensure for all territories should be geared towards a sustainable, harmonious and well-balanced development of the territory. This pleads in favour of the **development of integrated territorial projects on European borders which would constitute powerful means of managing imbalances, the integration of European territory and the pacification of Europe's external borders.**

- **(1.2) What additional elements would it bring to the current approach to economic and social cohesion as practiced by the European Union?**

A European territorial cohesion policy will help to make the sectoral policies of the Union coherent, make it easier to measure their effectiveness and make them more visible for European citizens who often have difficulties in grasping the reality of these policies.

In this context, and **to bring Europe closer to its citizens, a better awareness of cross-border territories** could be a great contribution to these objectives (cf. Proceedings of the European Conference of November 2007 at Lille and EUROMOT's "Manifesto for cross-border cooperation in Europe").

EUROMOT regards a cross-border territory as a life territory located on one side and the other of one or more borders, a space of projects delimited and put forward by elected representatives, which is not aimed at the administration of that territory but at the definition and the implementation of coordinated action programmes to respond to the needs of the inhabitants.

This integrating concept may be developed at different levels: cross-border agglomeration, Eurodistrict and Eurometropol (mixed rural/urban areas), natural cross-border area, river or sea basin, Euroregion... but one must fully understand that the better one takes into account the proximity scale, the more chance there will be of responding to the needs of European citizens.

This is the strategic choice that MOT and its partners made when launching the **European network of cross-border local authorities – EUROMOT** - and at the same time recommending that the levels of cooperation should be well linked in order to find good answers through a bottom up approach at the local level.

A cross-border territorial project, through the organisation of "multi-level" local governance which associates all levels of competence (local, regional, national), **can allow:**

- **develop important action programmes** around key topics of local cooperation, cohesion factors: health, mobility, employment/training, urban planning, environment, culture, languages, etc. which may mobilise local actors and well respond to citizens' needs;
- **produce new economic developments** through the establishment of joint public facilities and services, networking with economic and social actors, notably enterprises, which can free and "boost" the productive forces;
- **develop a common strategy** concerning spatial development;
- **make life easier for the people** who live on both sides of the borders by way of coordinating public policies;
- **thereby reduce imbalances** at borders in terms of wages, tax legislations, administrative regulations, etc.

From this viewpoint, cross-border territories may be privileged places, and excellent laboratories to undertake upstream tests on the application of community directives and their transposition into national law.

Pointing to the development of a European policy in favour of integrated cross-border territories at a proximity scale, one can see the contribution that a European territorial cohesion policy could give in prolonging and strengthening an economic and social cohesion policy.

2. The scale and scope of territorial action

Territorial cohesion highlights the need for an integrated approach to addressing problems on an appropriate geographical scale which may require local, regional and even national authorities to cooperate.

- (2.1) Is there a role for the EU in promoting territorial cohesion? How could such a role be defined against the background of the principle of subsidiarity?

The European Union can promote territorial cohesion and at the same time respect the principle of subsidiarity:

- by setting as one of the priorities of this policy a **strong support to be provided to the development of cross-border projects** (cf. § 1.2), integration factor and factor for the social and economic cohesion of Europe
- **by facilitating the convergence and coordination of local, regional, national and European policies towards these local territories** through European programmes
- **by reinforcing the “territorial structuring” axe** of the cross-border strand of the European territorial cooperation objective (dedicated global envelope) to privilege financially the common strategies of territorial integration
- **by favouring the formation of European Groupings of Territorial Cooperation (EGTC) on European borders**, namely those dedicated to the implementation of action programmes to benefit local populations and to facilitate their networking
- **by giving a integration premium for cross-border territories under the form of a global subsidy** in accordance with criteria to be defined upstream in relation to the degree of integration of actions
- by supporting the MOT/EUROMOT type of networks which may:
 - contribute with **operational technical assistance** to cross-border territorial projects
 - favour the setting-up and **networking of the EGTC** in association with the Committee of the Regions
 - organise **training programmes at the European level** especially for cross-border cooperation actors
 - develop a strategy for **European technical assistance to cooperation projects**, in particular in the cross-border field in association with DG Regio.

- (2.2) How far should the territorial scale of policy intervention vary according to the nature of the problems addressed?

The diversity of topics and levels of actors involved requires political intervention based on the principle of variable geometry and the mobilisation of relevant competences to resolve treated problems. This is also necessary for a territorial governance better adapted to new issues (such as globalisation, environment, climate change, etc.). To this end, it is important to get involved in the best way the active forces of a territory.

As regards cross-border areas, political intervention on both sides of the borders must be concerted and coordinated and must, if possible, eventually be taken into account in each national regulatory and legal framework. **Even if the coordination of policies at the local level is a priority for cross-border territories, the lever of decision-making is also national, hence the importance of making work together to develop cross-border cooperation of local communities and States, border by border, each one in its own area of competence: the EGTC from this viewpoint may be an extraordinary intermediation tool!**

- (2.3) Do areas with specific geographical features require special policy measures? If so, which measures?

Cohesion deficits are particularly noticeable at the crossing of borders: namely when the neighbours present too important differences in terms of competitiveness, for example in revenues or taxation. Furthermore, in certain cases, the cross-border situation overlaps with limits (rivers) or specific geographical characteristics (islands). In all of these cases, special measures can be taken to compensate for a certain number of handicaps.

Likewise, coherent development of maritime zones surpassing borders could be the object of specific measures, allowing these issues to be better taken into account, namely by assessing and possibly modifying the rule of a maximum of 150 km between coastal territories, a distance which constitutes the condition of eligibility of maritime cooperation projects under the cross-border strand of European territorial cooperation. In effect, this rule is not always adapted to the reality of local maritime cooperation zones and deserves to be softened.

We believe that **the exceptions should not be multiplied** as this could eventually lead to all European territory being divided into "zones" **but rather significant and meaningful territorial dynamics should be encouraged, such as integrated territorial projects based on a common strategy by the local partners** which can cover all geographical situations, namely in a cross-border approach.

3. Better cooperation

Increased cooperation across regional and national borders raises questions of governance.

- (3.1) What role should the Commission play in encouraging and supporting territorial cooperation?

In terms of governance, within the framework of territorial governance, the Commission has an indirect, albeit important role to play: it has to provide support to local, regional and national actors through European programmes. An important aspect is **technical assistance for cooperation projects** (cf. Proposals mentioned above in § 2.1).

The thematic restrictions as well as those connected to the partnerships to which the candidate projects within the framework of European programmes (such as INTERREG IV C; ESPON etc.) are submitted may constitute barriers which should be revised. The term "innovation", pillar of the Lisbon strategy, should not be taken in a strictly economic sense but it should be extended to cover territorial dynamics, governance of territories (in particular cross-border territories) and the convergence of policies.

- (3.2) Is there a need for new forms of territorial cooperation?

It would be particularly interesting to develop specific tools which may **respond to the European issue of cross-border agglomerations**¹ by:

- taking into account the **need of observation and knowledge of cross-border territories** at a local level (and more particularly of cross-border agglomerations),
- making cross-border agglomerations **places where national and community policies converge** within the framework of European strategic approaches,
- **forming networks of cross-border agglomerations at the European level.**

On the other hand, one can see that the issues related to governance require to overcome the strong predominance of public actors by facilitating the development of networks of actors, including private actors as well as civil society: this could be achieved through a greater openness by public authorities to decentralised networks (universities, research, clusters, creative environments, etc.).

It would be pertinent to establish, border by border, a right to experimentation of adapted innovative solutions in order to develop the dynamics and creativity of territorial cooperation, more precisely its application on cross-border territories.

¹ This could also be applied (with different modalities, objectives and impacts) for other local cross-border areas (national or rural, mixed rural/urban...).

- **(3.3) Is there a need to develop new legislative and management tools to facilitate cooperation, including along the external borders?**

The EGTC, as well as the other existing tools are today sufficient for the needs of cross-border cooperation, which does not exclude future developments nor the **need to realize specific adjustments in light of its practical application**. In this concern, the following propositions could be adopted:

The case of external cross-border regions may be treated by amending community regulation No 1082/2006 concerning the EGTC in order **to authorise the setting-up of EGTCs between one or several members situated on the territory of the same EU Member State and one or several entities of a third country**, thus allowing for the establishment of bilateral operational projects.

An alternative solution that can be implemented without delay could be to interpret the 16th considering of the regulation on the EGTC as favourably as possible: the setting-up of EGTC between a member situated on the territory of one Member State of the European Union and a entity on a third country could be authorized as soon as the legislation of the third country or an agreement between the third country and one Member State permits this.

Another question is related to that of governance projects regularly necessitating the involvement of private actors, which would require rendering the criteria for the European programmes more flexible as they frequently do not permit the involvement of private actors, although they clearly often benefit from delegating public services (for example, in the case of certain types of public transport).

It could also be analysed that EGTC could receive delegations of competences concerning public services, for example in cross-border agglomerations.

4. Better coordination

Improving territorial cohesion implies better coordination between sectoral and territorial policies and improved coherence between territorial interventions.

- **(4.1) How can coordination between territorial and sectoral policies be improved?**

It is necessary to optimise, deepen and extend the scope of analysis of cross-border socio-economic potentials to be able to develop well-founded strategies. Within this framework, territorial references should constitute the basis of all sectoral intervention, which implies **integrated concepts on the development of each territory**. This may be **strengthened by way of integration premiums** (cf. § 2.1 above).

A better coordination of sectoral directorates of the European Commission and the definition of cross-cutting territorial policies could broadly facilitate this necessary junction of territorial and sectoral policies.

- (4.2) Which sectoral policies should give more consideration to their territorial impact when being designed? What tools could be developed in this regard?

Initially, this necessity applies to all sectoral policies. The most pressing needs occur in cross-border territories in those sectors where their function as laboratories works the best: social affairs, health, taxation, mobility, etc.

Nevertheless, the question of applying sectoral policies to cross-border projects, notably in services of general interest in (urban, rural or maritime) cross-border territories, is rarely addressed, as is shown by the draft-directive on the application of rights of patients in cross-border health care (COM (2008) 414).

It could be applied in a number of fields (public road, rail and maritime transport, health and health care access, short sea shipping, purification, domestic waste treatment, etc.) where specific provisions should be set out to allow for the implementation of these projects beyond the territory of a single member State.

- (4.3) How can the coherence of territorial policies be strengthened?

At the European level, the coherence of action carried out in various fields of intervention of the European authorities themselves should be watched over (for example, budgetary decisions, regulations and procedures and common objectives and visions) and to promote an inter-institutional dialogue on territorial questions. The coherence of territorial policies could be improved by linking it more closely to the aims of decentralised actions, be they strategic or operational. This implies, of course, concerted action by the actors at the European, national, regional and local levels: finally, **coherence can be strengthened through the emergence of integrated territorial governance structures.**

On the borders of national territories a cross-border coordination must be developed in a horizontal (local, multi-actor and multi-sectoral) and vertical (different levels of actors at local, national and European levels) way. In particular, the coherence of territorial policies at the different cross-border levels can be greatly enhanced by **improving the linkage between programmes and projects** and by upstream concerted action with the actors involved in the cooperation.

- (4.4) How can Community and national policies be better combined to contribute to territorial cohesion?

First of all, complementarity and coherence between the regional policy and other community policies must be guaranteed.

In order to develop these complementarities, it is necessary to **converge European programmes and national policies in the same territory, which highlights the need there is to be equipped with integrated and sustainable strategies.** The territorial (cross-border) needs must be more considered in sectoral policies at the national and European levels and in their policies and programmes, **for example, by assessing the possible impact of different European and national policies on a given (cross-border) territory,** namely in the field of transport. These "ex-ante territorial impact studies" would help guarantee the sustainability of interventions in favour of territorial cohesion. A multi-level integrated approach would represent a first step towards governance at several levels, which - in a cross-border framework - the EGTCs are predestinated.

5. New territorial partnerships

The pursuit of territorial cohesion may also imply wider participation in the design and implementation of policies.

- **(5.1) Does the pursuit of territorial cohesion require the participation of new actors in policy making, such as representatives of the social economy, local stakeholders, voluntary organisations and NGOs?**

Yes, as they transmit the expectations of actors on the ground, as is illustrated by the example of the MOT and EUROMOT networks.

The development and the implementation of territorial measures should lean on large networks open to a great diversity of actors. On the other hand, in order to function properly these networks need cross-cutting coordination and competent and efficient engineering skills. The implication of actors from different sectors helps produce an added-value but it should be supported by governance structures: one case where the EGTC reaches the limits of its possibilities.

- **(5.2) How can the desired level of participation be achieved?**

At the cross-border level, participation firstly implies good information, as the multitude of laws, regulations and procedures as well as linguistic and cultural barriers render mutual understanding more difficult. Therefore, these obstacles must first of all be overcome before one can move on to active participation. This means **being initially equipped with information and training tools** (cf. Infobest, Euro-Institut, Eures structures, etc.), **developing procedures for participation** (for example, within the framework of the authorisation procedures for projects having a cross-border impact), organising meetings of citizens and setting up joint projects, profiting the populations on both sides of the border. Then, based on these local cross-border partnerships, it is opportune to **exchange experiences, good practices, and innovative approaches with other cross-border territories**, in order to move forward together within the framework of European networks such as EUROMOT.

Secondly, participation involves the interest in participating, which implies the need to **work on very concrete projects**. This is one more reason for putting more emphasis on territorial projects within operational programmes and for favouring the setting-up of EGTCs, allowing the implementation of joint projects in a cross-border framework.

6. Improving understanding of territorial cohesion

- (6.1) What quantitative/qualitative indicators should be developed at EU level to monitor characteristics and trends in territorial cohesion?

Qualitative and quantitative indicators should help support the definition of objectives and monitoring developments in the community territory. It is also indispensable to develop specific indicators for each category of territory. In the case of cross-border territories, these indicators concern:

- internal and external accessibility
- the degree of mobility inside the territory
- the functional distribution of facilities (infrastructures per inhabitants etc.) as well as their cumulative availability on both sides of the border from a metropolitan and economy of scale perspective
- demographic dynamics
- intra-regional differences in standard of living (per capita GDP, etc.)
- degree of involvement of key actors
- degree of integration of actions
- organisation of a joint (political and technical) governance
- characteristics of networks (density, operationality, etc.)
- vulnerability to risk
- degree of integration of the functioning of cross-border territories (all kinds of flows)

Cross-border territorial monitoring plays a key role in the facilitation of territorial cohesion: to know better in order to understand better, in order to implement cross-border policies based on that cross-border reality all too often regarded only based on intuition. In order to achieve this **there is still a great deal of important cross-border observation work to be undertaken at the scale of cross-border living areas**: this begins with the coordination of national indicators and goes as far as work at a European level: towards a Eurostat at a more depth level. ORATE 2013 and other innovative approaches of the type "regions for economic change" are to be developed to provide better governance and continuous evaluation of political territories.

These efforts in term of observation are fundamental for the definition of policies at the local level and of adapted action programmes and for the development of the ability to anticipate the issues of a sustainable development within a framework of new challenges. On the other hand, it allows assessing the degree of acceptable variability in terms of opportunities and living conditions within the framework of the European territorial cohesion objectives.