The agreement establishing the first French-Belgian local cross-border cooperation grouping (LCCG) since the Brussels agreement came into force in July 2005 was signed in Lille on 1 June 2006. In parallel, a process of discussions and proposals to give the French-Belgian metropolitan area a system of governance including all the public authorities concerned by cross-border cooperation was undertaken and a proposal for a Eurodistrict was adopted on 12 June 2006.

These developments are evidence of the determination of the French-Belgian metropolitan area to overhaul its institutional and operational framework and thus commit itself fully to the new 2007-2013 European programming period.

The French-Belgian metropolitan area encompasses the Lille Métropole (metropolitan area) and the districts organized around Tournaï, Mouscron, Courtrai, Ypres and Roulers. The new LCCG, named “Lille Eurométropole franco-belge” (Lille French-Belgian Eurometropolis), is intended to supersede the COPIT and brings together that association’s partners*. This new public structure, recognized by the two countries, will be open to the municipalities and higher-level public authorities. Appropriate for the tasks for which a cross-border metropolitan area is responsible, this new LCCG will be able to define priorities and undertake actions in structuring areas such as economic development and employment, transport and the environment. Its status means that it can also act as contracting authority for cross-border projects.

Towards a French-Belgian Eurodistrict

Stipulated by the Brussels agreement, a parliamentary working group was inaugurated in November 2005. Consisting of six French members of parliament and six Belgian members of parliament, its tasks include the final drafting of “an institutional organization proposal” for the Lille French-Belgian Eurometropolis. A Eurodistrict constituent committee will be set up this summer. Its members will include LCCG representatives, the various institutional levels involved and two members of the parliamentary working group. The area covered encompasses Lille urban community, the Belgian districts of Tournaï, Mouscron, Courtrai, Ypres, Roulers, Tielt and Ath and the municipalities of Silly, Enghien and Lessines.

Its role will be to promote, support and coordinate cross-border cooperation:
- by providing a forum for political debate and for interfacing between institutions bringing together all the necessary competencies (it will not generate any transfer of competency),
- by producing cross-border cohesion on the scale of not only the metropolitan area but also a cross-border conurbation of European rank,
- finally, by facilitating and realizing joint projects.

* COPIT is an association set up by a partnership initiated in 1991 between the Lille urban community and the four Belgian inter-municipal bodies (IDETH, WVI, LEIDAL, IEG).

First French-Swiss cross-border housing forum

Under the aegis of the Comité Régional Franco-Genevois, a cross-border housing forum was held on 15 June 2006 in Divonne-les-Bains, attended by all the representatives of the states and authorities involved in the France-Vaud-Geneva conurbation project. The stakes were high, since the aim was to lay the foundations of a cross-border housing master plan intended to become the “housing” strand of the overall cross-border conurbation project.

The need to deal with this issue at cross-border level was asserted by all the speakers. The France-Vaud-Geneva conurbation is experiencing very high population growth and an unparalleled shortage of land compared to other borders. The very low availability of building land on the Geneva side, coupled with unbalanced growth (80% of the jobs and 65% of the housing are in Switzerland, and 15% to 20% of the active population on the French side are border workers), provides a partial explanation for the situation. This is characterized by shortage of land, transfer of demand and urbanization to the French side (urban sprawl) and an uncontrollable rise in property prices. In this context, local authorities are finding it increasingly difficult to build subsidized housing. The forum made substantial progress on sharing the diagnosis, and several convergent challenges for housing in the conurbation were identified:
- a target of building 50,000 dwellings in 10 years;
- a need to rebalance the distribution of housing between Swiss and French territory;
- a need for affordable and diverse housing over the entire conurbation;
- a determination to ensure better linkage between urbanization and transport;
- an objective to promote quality housing.
The French legal framework for the external action of local authorities

The purpose of this study, completed by the French Conseil d’État in July 2005 and published in June 2006, was to assess, at the request of the prime minister, the pertinence of the national, international and European legal framework for decentralized cooperation, placing the emphasis on the particular issues concerning the development of cross-border relations.

In its introduction, the report makes a distinction between “two very different subjects” in decentralized cooperation: development aid and “North-North” cooperation on one hand and cross-border cooperation on the other.

Although cross-border cooperation benefits from a stable legal framework (part 1), the report identifies issues that remain unresolved and puts forward proposals for dealing with them (part 2).

The starting point for the report is the observation that “the law has always lagged behind practice where decentralized cooperation is concerned”. The report restates the basis of cross-border cooperation actions: “dealing with practical problems together”. It also notes that the development of a legal framework has led to a larger number of instruments to meet the specific needs of cross-border cooperation. It also refers to the role of the MOT, to its partnership and to its expertise, and emphasizes “that it plays a major role in terms of looking forward and rendering the various cross-border cooperation instruments consistent”.

Analyzing cross-border cooperation practice, the Conseil d’État observes a “multiplication of initiatives”, but notes that these call upon existing legal structures only to a limited extent, despite their “proliferation” and the transition from cross-border “project communities” to “living communities”.

It calls for a new step forward in the external action of local authorities through the “securing of existing mechanisms” and the continuation of “the joint commitment of the state and the local authorities”. For cross-border cooperation this legal “securing” requires the application of a right to experimentation, but also amendments of the French general code for local authorities (CGCT), in order to:

- extend to France’s mainland borders the existing mechanism for French overseas departments enabling the executive branches of local authorities or their groupings to negotiate and sign (in the name of the state, and with its prior authorization) agreements with another border state in their joint areas of competency;
- ensure consistency with the future European community regulations (EGCC), by amending the CGCT to allow association of the state with the future EGCCs and define the “rules governing its operation”, not defined in the regulations;
- to obtain a better definition of the notion of local interest in decentralized cooperation, following a legal precedent linking the purpose of such external actions to the response to a need of the population of the local authority involved. The report recommends mandatory inclusion in the agreement of “the purpose of the planned actions” and the “predicted amount of the financial commitments”, and replacement of the notion of “foreign territorial authorities” by that of “foreign local authorities”.

With regard to the commitment of the state, the Conseil d’État reviews the role of the prefectures and the need to improve the quality of their monitoring of legality, which should contribute to “facilitating cross-border cooperation when it meets the day-to-day needs of public service”.

1 The report can be ordered on the site http://www.ladocumentationfrancaise.fr
2 Poitiers administrative court (TA), 18 11 04, Mr Charbonneau, and Cergy-Pontoise TA, 25 11 04, Prefect of Seine-Saint-Denis

Press review

“Reassured by the increased financial resources announced by the European Union, cross-border cooperation protagonists are positioning themselves in battle order. The Mission Opérationnelle Transfrontalière will provide evidence of this on 14 June in Mulhouse, at a round table...”

■ The Longwy-Belgium line on the right track, Le Républicain lorrain, 8 June
“The authorities of the Longwy conurbation had tracked the programme, which is close to being implemented: a passenger line to Luxembourg along the Belgian border...”

■ Prefect Lemas on the Esch-Belval front, Le Républicain lorrain, 18 May
“Yesterday the prefect of Lorraine obtained an idea of the full extent of the Esch-Belval site rehabilitation project...”

■ A French-German monitoring unit, Dernières Nouvelles d’Alsace, 3 June
“With state aid, the Bas-Rhin chamber of commerce and industry is going to set up a French-German trade monitoring unit...”

■ Meeting of the conurbation conference - Clarifying cross-border structures, Dernières Nouvelles d’Alsace, 21 May
“Basle Trinational Conurbation, Conurbation Conference, Infobest Palmarin, Regio TriRhena, ... the cross-border cooperation structures in the south of the Haut-Rhin department line up and overlap without managing to acquire their own identities in the minds of the public. A survey [...] has shown that, even among the institutional and economic decision-makers of the three countries, the role and sometimes the very existence of the entities remains relatively unclear, if not simply unknown...”

■ 750,000 inhabitants in the cross-border conurbation, Vox Rhône-Alpes International, 15 June
“At the end of the 1990s, 720,000 inhabitants (now almost 750,000), 300,000 households, including 115,000 persons living alone and 23,000 single-parent families; 300 primary residences of which one quarter were single-family houses and 94,000 owner-occupied dwellings: these are some of the key figures given by the cross-border statistics unit in the Geneva cross-border conurbation in two summary fact sheets...”

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