



# “Cross-border territories: Day-to-day Europe”



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## Workshop 9 “Public transport”

- ❖ **President**  
Christian ECKERT, Vice-President, Lorraine Regional Council (FR)
- ❖ **Moderation of the discussion and presentation of the framing memorandum**  
Michel SEELIG, Deputy director of external relations and partnerships, Transdev (FR)
- ❖ **Project 1** : Cross-Border Mobility Scheme For Belval-Alzette (FR/LU)  
Pierre LAMOTTE, Director, Mobility and transport economy directorate, Lorraine Regional council (FR)
- ❖ **Project 2** : EUREGIO MOBILITY (DE/BE/NL)  
Thomas CLEMENS, Head of the Euregional Projects, Marketing and PR departments, Aachen Regional Public Transport Authority (Aachener Verkehrsverbund GmbH) (DE)
- ❖ **Project 3** : Cross-border road transport organising authority for the France-Geneva area (CH/FR)  
Fabrice ETIENNE, Public transport manager, Transport and Traffic Office of the Canton of Geneva (CH)
- ❖ **Presentation of the recommendations:**  
Michel SEELIG, Deputy Director of external relations and partnerships, Transdev
- ❖ **Discussion with the audience**
- ❖ **Rapporteur**  
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## **Introduction: a factor of territorial integration**

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This workshop covers cross-border mobility and public transport within cross-border territories, characterised by movements, in particular daily ones across borders (work, leisure and consumption).

It discusses the involvement of various actors — local and regional authorities, other local entities responsible for the organisation of transport, and operators — and their coordination for cross-border mobility.

All modes of cross-border public transport are likely to be considered (urban and interurban, bus and coach, rail links, tram-train, tramway, river and maritime shuttles), paying particular attention to their intermodal linkage.

Mobility issues are at the heart of the functioning of cross-border territories: daily cross-border movements contribute to the construction of these living areas experienced every day by their inhabitants. A driver of development, cross-border public transport provides mobility for workers, schoolchildren and consumers and, on many borders, limits the saturation of road infrastructure, thus favouring sustainable development of the territory.

Urban and interurban road and rail cross-border public transport is undeniably an important factor in the process of territorial and European integration and the concrete implementation of the freedom of movement provided by the treaty.

## **Problems observed**

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### **❖ Congestion of certain cross-border transport trunk roads**

This phenomenon is observed when the provision of public transport does not meet cross-border mobility needs and when long-distance transit services share infrastructure with local flows. It has major consequences on safety and the environment. Some territories are particularly concerned by this problem, such as the Bayonne (FR) - San Sebastian (ES) corridor, where 40% to 50% of transport flows are accounted for by transit traffic, and the Luxemburg (LU) – Thionville (FR) – Metz (FR) corridor.

### **❖ Persistently inadequate knowledge of the intermodal characteristics of cross-border mobility**

Despite growing mobility on borders, observation and knowledge of travel patterns in cross-border territories by organising authorities and operators is inadequate. This is an obstacle to:

- relevant assessment of existing services
- effective planning of infrastructures and of the introduction of new cross-border services

Cooperation actors are confronted with a lack of statistical data on the various transport modes, inadequate communication of such data when they do exist, and the complexity and cost of household surveys<sup>1</sup>.

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<sup>1</sup> Examples: The Great Region (Saar-Lorraine-Luxembourg-Wallonia-Rhineland) transport commission organises regular meetings to pool experiences, allow early discussion of planned strategies, and strive for cross-border and intermodal coordination of the projects examined by the various partners. A forward-looking strategic study on passenger and goods mobility developments in the Great Region has been undertaken within this framework, in order to assess mobility prospective for the Great Region territory. See project sheet on the household survey between Wallonia (BE) and the Lille Urban Community (FR).

## ❖ **Incomplete consideration of cross-border public transport in local, national and European policies**

Sectoral policies at all levels (local, regional, national and European) take little account of local cross-border transport, resulting in obstacles to the action of cross-border public transport actors.

As it is not always a political priority, the local cross-border transport sector suffers from a lack of both funding<sup>2</sup> and long-term funding sources<sup>3</sup>.

With regard to planning, the French example shows that, **at local level**, French town planning documents (urban travel plans and territorial cohesion schemes) are unsuited to the cross-border situation. At the same time, in most cases cross-border territory projects on French borders avoid the question of transport. Under these conditions, how can it be ensured that public transport meets the needs of the inhabitants? In its white paper on transport<sup>4</sup>, the European Commission states that "the lack of an integrated policy approach to town planning and transport is allowing the private car an almost total monopoly".

**At national level**, the absence of a model legal structure promoted by all entities involved in cross-border transport leads such actors to experiment with the application of domestic law in areas not covered by the texts.

There is also a lack of mobilisation of national authorities on the issue of local cross-border transport. In 2004, when the European Commission invited the member states to give their opinion on the opportuneness of reforming Community regulations<sup>5</sup>, few national authorities responded. No reforms were introduced, despite the fact that Community regulation 12/98 on cabotage, which defines the conditions under which carriers of a member state can operate in the internal market of another member state and which applies to the operators of cross-border routes, raises problems: a carrier operating for authorities located on either side of a border may have competition from another carrier operating on the basis of a Community international transport licence, issued by the national authority, with no linkage to the local authorities. It must be pointed out, however, that following an exchange of notes between the two countries in connection with the Franco-Swiss agreement of 1951, cabotage has been admitted on the Franco-Swiss border as of the beginning of 2007. The present procedures of purely administrative licensing by the states concerned are a source of legal uncertainty; but above all they do not ensure any consistency with the objectives of coordinated territorial planning.

**At European level**, local cross-border transport merits better recognition. In its 2001 white paper on transport the European Commission discussed cross-border issues in terms of "trans-European networks", without reference to local cross-border transport: in order to relieve congestion of international corridors it recognises the investment needs for major rail infrastructure, and more particularly cross-border rail infrastructure.

In addition, the European Commission has recently published a green paper "Towards a new culture for urban mobility"<sup>6</sup> which does not recognise the specific characteristics of transport within cross-border conurbations. After public consultation ending in March 2008, this green paper will be used as the basis of an action plan to be published the same year.

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<sup>2</sup> Example: the *versement transports* (transport levy), a French tax, is difficult to transpose to a cross-border situation. How can businesses be expected to pay a tax to fund a bus route enabling workers to find jobs in the neighbouring country? How can a local authority tax businesses that are not on its territory?

<sup>3</sup> See project sheet on the Sarreguemines-Saarbrücken tram-train.

<sup>4</sup> European Commission White Paper: "European transport policy for 2010: time to decide", 2001.

<sup>5</sup> Council regulation 12/98 laying down the conditions under which non-resident carriers may operate national road passenger transport services within a member state. Definition of "cabotage": road passenger transport service operated temporarily by a carrier of one member state in another member state without having a registered office or other establishment in that state.

<sup>6</sup> [http://www.ec.europa.eu/transport/clean/green\\_paper\\_urban\\_transport/index\\_en.htm](http://www.ec.europa.eu/transport/clean/green_paper_urban_transport/index_en.htm)

Despite this deficient recognition of local cross-border transport in its strategies and policies, the European Union has supported many projects through its Interreg programmes: studies, introduction of single tickets, joint communication strategies, construction of transport infrastructure, etc.

### ❖ **A heterogeneous regulatory and technical working framework on either side of the border**

Despite growing cross-border public transport needs in Europe, cross-border transport provision still has an “experimental” character. Its development encounters substantial technical, institutional and political difficulties:

- differences between systems and between technical regulations on either side of borders (environmental requirements, electrical power supply, safety, personnel training, etc.)
- great diversity of levels of competence and working procedures of transport organising authorities on either side of borders (operator selection, fare setting, funding sources, etc.).

The organisation of a coherent cross-border transport network thus necessitates, for some states, the involvement of a large number of organising authorities in order to assemble the necessary competences, whereas in neighbouring countries there may be a single competent authority with more substantial financial resources. This type of financial imbalance between partners is likely to act as a brake on the emergence of cross-border projects. A sound legal basis, in the form of a cooperation agreement or a joint structure, is necessary in order to overcome these difficulties and attract investment<sup>7</sup>. The use of these legal instruments in the context of transport is far from evident in certain cases; for example, in France the local authorities, which are transport organising authorities, cannot sign an agreement with a neighbouring state, even when the latter is competent in transport matters.

## **CONCLUSION**

In spite of the difficulties encountered, cross-border public transport actors have worked around the obstacles raised by borders in order to establish and manage cross-border public transport networks and routes. It is important to disseminate these good practices. However, better accounting for cross-border mobility and transport by national and Community actors is one of the conditions for more coordinated development of cross-border territories.

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<sup>7</sup> See project sheet on the cross-border transport network between France and the Canton of Geneva (CH).

## **Proposal for recommendations**

The organisation of cross-border public transport is a complex area which raises many issues concerning different scales: multiple actors and operators, necessary coordination of competent authorities on either side of borders, consideration of these issues by the different levels concerned, application of Community regulations, and integration of transport into cross-border territory projects.

The recommendations are targeted according to the actors (institutional, operational, etc.) and levels (cross-border territories, national, European) concerned.

### **Recommendation 1: Towards better knowledge of travel patterns within cross-border territories**

**Promote** the publicising of available statistical information, “institutionalise” cross-border statistical observation by integration of cross-border-related data in the work of conventional statistical observatories, networking of national statistics offices and establishment of local cross-border observatories.

### **Recommendation 2: Towards a cross-border dialogue on local cross-border transport**

**Promote** information exchange between planners, technicians, politicians, organising authorities and operators on either side of borders by networking, organisation of topical groups and circulation of relevant documents (legislation, planning documents, etc.).

**Encourage** the establishment of cross-border entities and/or commissions on transport issues in order to encourage coordination of initiatives and development of joint projects. To this end, the signing of protocols between the stakeholder partners is desirable in order to move towards a comprehensive mobility policy through expression of joint outlooks, to identify shared strategic objectives and to plan their implementation into operational priorities, in liaison with the operators concerned.

### **Recommendation 3: Towards a cross-border governance structure: from coordination to integration**

**Institutionalise** the partnership between the organising authorities on either side of borders in order to enable upstream assessment and definition of needs and management and assessment of the services introduced.

**Promote** partnership between organising authorities and operators at all levels: strategic, planning and technical.

To accomplish this, **encourage** the establishment of joint cross-border structures such as LGCCs (local grouping for cross-border cooperation), EGTCs (European grouping of territorial cooperation, which allows the states to work with local authorities in the same structure) or other structures. The setting-up of such structures is the most integrated form for management of a cross-border transport network or route.

These cross-border organising authorities will have the same prerogatives as any organising authority: establishment and organisation of the service, operator selection (in the absence of a legal monopoly), definition of service quality and fares, and monitoring of the service.

#### **Recommendation 4: Towards recognition of cross-border transport at European and national levels**

**Promote** the political and legal recognition of cross-border public transport issues in a European context which promotes mobility, the opening of borders and the opening of the European rail transport market to competition, in order to provide users with safe, efficient and high-quality transport services:

- **Authorise** cabotage for cross-border public transport (see regulation 12/98 on cabotage): in order to meet the needs of cross-border territory populations, operators should be able to organise and serve areas across the border in a coherent way. In particular, the measures taken on the French-Swiss border should be applied on all borders: an additional clause to the 1951 France-Switzerland agreement authorises cabotage for cross-border passenger transport routes.

**Encourage** the states, when they apply regulation 12/98, to consult the local authorities which have responsibility for spatial planning and development on either side of borders, in order to assess the pertinence of new transport routes with regard to the existing cross-border transport network or routes

- Within the framework of the consultation open until 15 March 2008 on the European Commission green paper "Towards a new culture for urban mobility", **obtain recognition** of the specific difficulties encountered in the organisation of a transport network in cross-border conurbations due to the presence of one or more borders.

#### **Recommendation 5: Towards more substantial and varied funding sources**

Acquire a critical financial mass in order to support cross-border local transport initiatives.

**Make use** of Community funds:

- programmes under the *Convergence, Regional competitiveness and employment* and *European territorial cooperation* objectives of the European Union's 2007-2013 cohesion policy, along with the opportunities offered by European funds dedicated to the Trans-European Transport Network<sup>8</sup> of the Directorate-General for Energy and Transport and by European Investment Bank loans.

These instruments should be used : to improve availability of relevant information to users on the multimodal provision of public transport, by the establishment of cross-border information centres; to promote the use of public transport by measures such as setting specific joint fares on cross-border routes and using vehicles with a clear cross-border identity; to promote cross-border public transport by joint awareness-raising and information campaigns aimed at the populations concerned on either side of national borders.

- Within the framework of the consultation opened following the recent publication of the European Commission green paper "*Towards a new culture for urban mobility*", **submit** to the European Commission, before 15 March 2008, proposals for concrete measures in response to the specific problems inherent in cross-border urban transport.

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<sup>8</sup> Community transport infrastructure development programme.