



## Patrick Cesari

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*In May 2003, pollution of the beaches of Menton and Roquebrune-Cap Martin necessitated a mobilization exceeding the customary capacity of the municipal services. Nevertheless the POLMAR-terre (French coastal pollution) plan was not activated. At sea more than anywhere else pollution does not stop at administrative borders. Our municipalities on the French and Italian coast, in collaboration with the CARF, have decided to organize the combat against such pollution together. The project is funded by the European ALCOTRA programme, the Agence de l'Eau (Water Board), the PACA and Liguria regions, the Alpes-Maritimes department council, the CARF and all the partner municipalities to the amount of 518,952 euros, indicative of a very strong determination to take action.*

*Thanks to the operational agreement on the coordination of resources, signed on 14 October, we undertake to:*

- alert each other and keep each other informed of the situation,
- draft an operational control plan compatible and consistent with the other plans covering the bay,
- test its validity regularly by exercises, the first of which was held in 2008,
- organize training sessions for personnel and elected representatives, the first of which was held in 2006,
- purchase mutually-compatible pollution control equipment,
- supply technical, material and human assistance to each other in the event of pollution.

*If the 2003 scenario were to recur, this would enable us to clean our beaches as rapidly as possible in order to restore them intact to the population. I would like to emphasize that this partnership and mutual and joint assistance agreement is a first for the European coast.*

*A procurement consolidation agreement has also been signed. We have decided to share all the project expenses equitably. The CARF will be responsible for all the public contracting procedures. The tenders committee will select the best providers, which will subsequently invoice each partner for part of the cost.*

*These two agreements are a great step forward for the protection of the Mediterranean and its shores and for local cross-border cooperation.*

## Local projects to combat marine and river pollution

As shown again recently by the "red sludge" pollution on the Danube in Eastern Europe last October, the risks of marine and river pollution extend well beyond the framework of national borders. Initiatives at European level are taken to combat these types of pollution, for example the International Commission for the Protection of the Danube River, set up in 2004 by the European Union for the purpose of cross-border cooperation on sustainable management of the Danube and its environment.

In this area there are also a number local cross-border cooperation arrangements and, on a different scale, these are just as pertinent. Two examples are given below.

### French-Italian project

As part of an Interreg IVA Alcotra project, on 14 October 2010 the Communauté d'Agglomération de la Riviera Française and six French and Italian municipalities (Menton, Roquebrune-Cap Martin, Bordighera, Camporosso, Vallecrosia and Ventimiglia) signed two agreements on "prevention and control of marine pollution", covering on the one hand coordination of the human and material resources of the partners in the event of pollution (mutual alert, joint training, loans of equipment and human resources, etc.) and on the other hand joint placement of the contracts necessary for implementation of the project. This type of local cooperation complements the existing agreements between the states to combat pollution at sea, such as the RAMOGE agreement between France, Italy and Monaco.



The French-Italian riviera, a sea-coast worth preserving

### The cross-border fireboat, a component in the control of river pollution on the Rhine

Another example is the "EUROPA 1" French-German fireboat, stationed in Strasbourg. Its missions include pollution control in calm water in the German and French ports on the Rhine (between Marckolsheim and Lauterbourg). Under the authority of Voies Navigables de France and within the framework of the Rhine Orsec (emergency organization) plan, it is one of the resources involved in positioning floating barrages intended to contain pollution by fluids such as hydrocarbons or similar products.

The fireboat also has suitable pumping equipment to supplement the heavy-duty resources provided by other competent services. The availability of a vessel operated jointly by the German and French emergency services enables a joint response on the waterway to move pollutants to the river banks for recovery and treatment.

## Visit by the MOT to the Principality of Andorra



Xavier Espot, Andorran minister of foreign affairs and institutional relations, and Hans-Günther Clev, MOT director-general

On 4 and 5 November 2010, on the occasion of a visit to the Principality of Andorra, the director-general of MOT, Hans-Günther Clev, accompanied by Her Excellency Julià Vola Coma, ambassador of the Principality of Andorra to France, was received by the head of the Andorran government, Jaume Bartumeu Cassany.

An interministerial meeting chaired by the minister of foreign affairs and institutional relations, Xavier Espot, provided an opportunity to review all the cross-border issues of Andorra and to discuss the possibilities of the MOT supporting the Principality in its actions.

## In France, the local authority reform act introduces border "metropolitan districts"

*The territorial authority reform act passed in mid-November 2010 by the French Parliament introduces a novel cooperation instrument, the "metropolitan district"\*. It is intended to promote a model of sustainable development of its territory and to improve the competitiveness and attractiveness of the territory, along with sub-departmental and sub-regional spatial planning.*

Following the work of the French parliamentary cross-border mission entrusted by Prime Minister François Fillon to Etienne Blanc, MP for the Ain, Fabienne Keller, senator for Bas Rhin, and Marie-Thérèse Sanchez Schmid, MEP, the government proposed an amendment introducing a **dispensation mechanism for border areas**.

This amendment, adopted in the final version of the act, **allows a public intermunicipal cooperation establishment (EPCI) situated within the area of influence of a metropolitan area located on the other side of a border to organize itself to provide a consistent and structured response to cross-border issues**. However, it does not provide for participation by foreign territorial authorities in a metropolitan district.

The metropolitan district is intended for EPCIs with their own tax-raising powers forming an area with at least 300,000 inhabitants and including at least one EPCI encompassing at least 150,000 inhabitants. **A metropolitan district adjacent to a border may be formed if it includes an EPCI encompassing at least 50,000 inhabitants**. However, such a metropolitan district must satisfy two other criteria: the EPCI concerned must **"border on a foreign state"**, and the metropolitan district must form **"a contiguous territory without enclave"**, i.e. without isolated municipalities or EPCIs.

In practice, the setting-up of a metropolitan district enables the formation, on a voluntary basis, of a **public establishment between EPCIs with the capacity to implement actions of metropolitan interest in the following areas**: economic development; promotion of innovation, research, higher education and culture; coordination of territorial cohesion schemes (SCOT) with a scope identical to that of the member EPCIs of the district; development of transport infrastructures and services with the same prerogatives as a joint transport authority. The "metropolitan interest" of each district is defined by the community assemblies of the members.

Given the criteria stipulated by this new act, the new amendment could be applied to the EPCIs bordering on the Canton of Geneva, already grouped within the ARC joint authority, or to the EPCIs bordering on Luxembourg, following incorporation of the last isolated municipalities into EPCIs, in accordance with the obligations stipulated by the same reform act with regard to completion of the intermunicipality map.

\* "Pôle métropolitain" in French ; the new provisions are defined in article L. 5731-2 CGCT.



The France-Vaud-Geneva conurbation, the French part of which is eligible for the new border "metropolitan districts"

### In brief

#### ■ Towards a European network of national cross-border cooperation support structures

The MOT, the Central European Service for Cross-Border Initiatives (CESCI) and the Hungarian Ministry of public administration and justice are organizing, in relation with Initiatives France Hongrie, a major **international conference on 9 and 10 December in Budapest** on:

#### "Regional development through innovation in multilevel organized cross-border cooperation"

Its purpose is to discuss, in the presence of high-level national and European representatives, existing cross-border cooperation support organization models in various European countries. The objective is the setting-up of a European platform of support structures involved at national level. [www.espaces-transfrontaliers.eu](http://www.espaces-transfrontaliers.eu)

#### ■ Report on cohesion

The fifth European Commission report on cohesion, presented on 10 November, defines the framework of the debate on the reform of the cohesion policy for the post-2013 period. It emphasizes that future investments must be closely tied to the objectives of the "Europe 2020" strategy and proposes the introduction of stricter conditions as well as measures encouraging effective use of European funds.

**A public consultation** on the conclusions of this Report has just been launched by the European Commission (to 01.31.2011): [http://ec.europa.eu/regio\\_nal\\_policy/consultation/5cr/index\\_en.cfm](http://ec.europa.eu/regio_nal_policy/consultation/5cr/index_en.cfm)

#### ■ Cross-border healthcare

A draft directive on patients' rights in cross-border healthcare was adopted by a Commission of the European Parliament on 27 October 2010. It covers the strengthening of provisions relating to prior authorization and reimbursement of fees, for example to avoid the risks of legal insecurity for the patients, setting out clearly the cases in which a Member State can refuse reimbursement or the right to go abroad for treatment. The vote in plenary session is due to take place in January. Also worth noting: in a judgement handed down on 5 October, the CJEU rejected the action of the Commission against France, which it criticized for the prior authorization mechanism governing the reimbursement of certain healthcare services scheduled in another member states.

#### ■ The France-Vaud-Geneva conurbation wins an award

Joint winner in the 8<sup>th</sup> European urban and regional planning awards, the France-Vaud-Geneva conurbation project received the award on 16 November on the occasion of the 25<sup>th</sup> anniversary of the European Council of Spatial Planners at the Committee of the Regions in Brussels. It competed on the topic "Cross-border Geneva: an urban project as the cornerstone for a united conurbation". [www.projet-agglo.org](http://www.projet-agglo.org)

## Press review

■ **Cohesion policy: the Commission applauded for its vision of the future**, *Europe Information*, 15 November - "The reactions are positive after the publication by the European Commission of its fifth report on economic and social cohesion, on 10 November. The first to applaud are the regions, principally satisfied to know that the European structural funds will continue to apply to each of them and that the threat of a 'revolution' in the cohesion policy now seems to have receded."

■ **Pôle Emploi officializes the establishment of its trades space - Give priority to cross-border cooperation**, *L'Union l'Ardennais*, 5 November - "Identify the trades that are recruiting in the sector (and in Belgium), and find out about the training that goes with each, that is the objective of the new trades space, set up in partnership with the region and *Pôle Emploi*."

■ **First cross-border apprenticeship contract**, *E-Alsace*, 31 October - "The first cross-border apprenticeship contract has been signed between the University of Strasbourg and ADDI DATA..."

■ **Cross-border training for nurses is in gestation**, *Tribune de Genève*, 10 November - "Common training for all nurses in the France-Vaud-Geneva area, increased cultural cooperation [...], but also a reaffirmed determination to start work on the CEVA [...]: those are three of the major priorities defined on Monday at a bilateral meeting..."

■ **A website for cross-border work**, *Sud Ouest*, 17 November - "[...] The establishment of the cross-border job and training exchange aims to pool the vacancies and applications for jobs and training courses on either side of the Bidassoa and facilitate applications by candidates..."