

## **The Practice of Territorial Dialogue in Europe: The View of a Practitioner**

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It is for me, governor of the province of West Flanders, located in the federated state of Flanders in the Kingdom of Belgium, a great honour to lecture today, at the start of the «primavera», the spring, at this respectable university, which was established in 1222 and is therefore a bit older than Leuven University, which was established in 1425 and where I had the privilege of obtaining my Law degree. I therefore consider it a great pleasure to be allowed to make a political contribution within the scope of the Jean Monnet European Centre of Excellence «Intercultural Dialogue, Human Rights and Multi-level Governance».

Starting from how things are done in practice in my province every day, I will explain my view on territorial dialogue in Europe. At the end I would like to offer my own critical assessment of the first EGTC, the European metropolis of Lille-Kortrijk-Tournai, of which I am a privileged witness.

### **1. Institutional and Historical Context**

What is the basis of this practical experience?

For those not familiar with the political structure of Belgium, it is required to explain a couple of things without resorting to a detailed description of our political structure, which is not always very clear even to Belgian nationals.

Article 1 of the Belgian Constitution stipulates that Belgium is a federal state, composed of communities and regions. Article 5 determines that the Flemish region is subdivided into 5 provinces, including the province of West Flanders. A province thus constitutes an administrative unit with its own governing bodies. These include the provincial council, the consultative body, and the provincial executive, which is the

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executive body. A province is headed by a governor, who has provincial duties as well as powers at the Flemish level and at the federal, or Belgian, level. This means it is a complex position at the crossroads between the powers of the central and local governments. The governor is nowadays appointed by the regional government, in this case the Flemish government, upon unanimous advice from the Federal Council of Ministers. He therefore needs to have the trust of both the federal government and the regional Flemish government, as he works for both. A good example of this are the powers of the governor of West Flanders as to the powers of the Belgian and Flemish governments with regard to the North Sea. The reform of our state has resulted in a very complicated division of powers. Within the context of international law the federal government exercises the Belgian powers with regard to the North Sea, but not all powers. Fisheries, shipping assistance, pilotage and search and rescue operations are Flemish powers. This means that the powers are not only divided between the federal state and the Flemish state, but also that seventeen governments and ministries are involved in this division of powers. It was therefore deemed necessary to make arrangements between all these coast guard partners on the basis of a cooperation agreement so as to achieve a coherent policy. Within the scope of these arrangements a major role was given to the governor of West Flanders, because he was acceptable to all partners as he has both federal and Flemish powers.

The province of West Flanders is located at the North Sea and borders the Netherlands to the extreme north-east and France to the south-west. Today I would like to talk about the territorial dialogue with France. This dialogue is conducted not purely at a theoretical level, although this is done as well, but mainly on the basis of practically daily contact between government structures on both sides of the border in many fields, including socio-economic, cultural, tourist and many other aspects of our society.

How has this cooperation developed?

This question can actually be reversed from a historical perspective. When did we grow apart? If we look at the history of the region currently called West Flanders (in Belgium) and Nord-Pas-de-Calais (in France), we find that in certain time

periods cross-border cooperation was not required as we were simply one region at that time. I am convinced that there are numerous similar cases in Europe, where cross-border cooperation is actually restoring historical bonds that were severed because of military, diplomatic or constitutional reasons. The same applies to the border region we will be discussing today.

These areas have a long common tradition. The border between both regions was actually defined for the first time by the Treaty of Utrecht in 1713. Before the treaty it changed constantly. The struggle for power between the kingdom of France on the one hand and the county of Flanders and the later Spanish and Austrian Netherlands on the other hand has resulted in the fact that we should talk about a border region rather than a border. It was furthermore not only a national border. As a result of the settlement of the Franks in the north of the Gauls and the Saxons at the coast, this region was also the place where the Roman and German civilisations met. In the early Middle Ages a language barrier came about which did not correspond with any constitutional border.

The area in France which is now part of the cross-border cooperation and which was annexed by France in the course of history was home to both French- and Dutch-speaking people. The integration of the French-speaking part was not met with enthusiasm by the local population, but the integration of the Dutch-speaking part of the conquered area was even more difficult. In spite of government measures to ban Dutch from social life, the goal was never fully reached. Although Dutch has become a marginal language, it has not disappeared completely. The language problem is a permanent point of attention during cross-border contacts. The equivalence of both languages is a fundamental point of departure for the implementation of cross-border cooperation, but appears not to be easy to accomplish in practice.

The establishment of the national border in 1713 between France and the then Austrian Netherlands nevertheless has not prevented people from maintaining cross-border contacts over the centuries, especially in the cultural and economic field. Administrative contacts, however, remained largely, if not exclusively, limited to bilateral agreements between the two central governments in question.

Driven by interior political developments in both France and Belgium and by the ongoing European unification, local and regional governments have only started trying to approach each other in the past few decades and have gradually given shape to the cross-border cooperation, starting from the bottom up.

It is not my intention to provide a global overview of the various steps taken to achieve this cross-border cooperation during this short lecture. I would like to summarise it as follows. The cross-border cooperation grew from European dynamism under the then chairman of the European Commission Jacques Delors. Borders were no longer limitations, but challenges. In the border region between France and Belgium people were confronted with the border on a daily basis and the European unification gave them the opportunity to assume a new central position outside the national context. Regions located eccentrically were suddenly positioned centrally within the European context.

The circumstances were favourable to look beyond the border; the only thing that was missing was people to carry out the work. This is also constant in the entire cross-border story. Cross-border cooperation does not happen just like that. It is not imposed from above, but needs to grow organically from the bottom up. It is a growth process that essentially comes down to the fact that there are people on both sides of the border who believe in the project and get along.

The provincial government of West Flanders did pioneering work in this field. This has resulted in numerous contacts and initiatives, for instance around the concept of a Franco-Belgian metropolis in Lille. A first dimension of the cross-border cooperation consisted in elimination of the negative effects of the border. And as we made progress in the field of this first dimension, room was created for a second dimension, namely taking a positive lead on the road towards a new region.

This is very explicitly the intention in the urbanised area around Lille with the creation of a Franco-Belgian metropolis. In this manner we evolve from concept to actual implementation. During the entire process we have kept in mind the initial objectives, which were formulated as follows. The policy towards the North of France needs to:

– contribute to the prosperity and welfare of West Flanders;

- increase the quality of the living environment;
- strengthen the position of West Flanders in Europe;
- look after the common interests of the border region to the largest possible extent.

These objectives were converted into seven strategic orientations so as to achieve them:

- further develop own strengths;
- look for complementarity;
- stimulate cooperation;
- create involvement;
- take advantage of the formation of the metropolis;
- work on structures;
- address bottlenecks.

## **2. SWOT Assessment of Territorial Cooperation between Flandres and France**

The above-mentioned objectives as well as the strategic orientations have lost nothing of their relevance and are still valid today. After twenty years of experience in cross-border cooperation the motivation for the cooperation remains the same and we are capable of indicating the strengths and weaknesses as well as the opportunities and threats for our region with regard to the cooperation with the North of France.

### **2.1. Strengths**

The strength of the cross-border cooperation was in the first place the innovative concept that was the foundation of the cooperation. You could call it a Copernican revolution. When national borders fade away, these border regions get the opportunity to discover and create a new «centrality». Instead of a remote area, a final point, they assume a central position in a new configuration. The image of Lille and the surrounding area as a Franco-Belgian metropolis located centrally between London, Paris, the Dutch Randstad (Amsterdam-Rotterdam) and the German Ruhr region illustrates this perfectly.

A second strength of the cross-border cooperation is that it has

developed from the bottom up. No matter how diverse the forms of cross-border cooperation in Europe are, there is one constant: the initiators are local governments in the border region, supported by the living forces of the region. It is the local policymakers, being confronted every day with the limitations and restrictions imposed by the border, who take the lead in establishing cross-border contacts. This implies there is no universal model for cross-border cooperation. The features, problems, challenges and opportunities differ from border to border, and there can even be differences within one border region. The heavily urbanised region around Lille requires different solutions than the rather rural border region of the Westhoek region and French Flanders.

## 2.2. Weaknesses

A possible weakness of the cross-border cooperation is the lack of a cross-border reflex. Although we have come a long way in the field of cross-border cooperation, we still do not have a cross-border reflex with regard to the daily operations of the different governments. Decisions are still largely prepared, taken and justified within a national context.

This can easily be explained in objective terms in view of the specific characteristics and limitations of the cross-border context:

- the absence of a suitable legal framework;
- the lack of cross-border financial instruments;
- the weakness of cross-border political networks;
- the degree of complexity of «interior» plan preparation or project implementation procedures, the time schedules and the negotiation and decision-making processes of which are not conducive to cross-border cooperation;
- the lack of knowledge of the «other side»;
- the differences between Flemish and French government systems (the actors, their backgrounds, their numbers, their powers, their mutual relations).

A second weakness is the fact that numerous initiatives are taken, but with a lack of structure. Jean Monnet is credited with the saying: «people come and people go, but structures remain». He used this to advocate a strong supranational authority in the form of the High Authority, the predecessor of

the European Commission. The same saying applies to cross-border cooperation. Numerous cross-border initiatives have been taken over the past years, which makes it difficult to see the wood from the trees. The impression may be created that cross-border cooperation is strongly embedded, but in practice it depends on the work and efforts of a few people. There is a lot of goodwill, but we lack the supporting structures to turn it into a true success story.

A third weakness is the fact that it is difficult to mobilise the central governments. Growing from the bottom up is a strength, but also creates a weakness, namely that the central governments fail to follow and do not engage in the cross-border cooperation. At the Flemish level this is partly due to the relative newness of the Flemish administrative level and the resulting need of the Flemish government to first acquire legitimacy within the Belgian state. In addition, Flanders is structured differently than France. The territory is smaller and there is less decentralisation of public services.

The central authorities in Brussels consider cross-border cooperation as a rather marginal phenomenon. Fortunately this attitude has changed over the past few years. The Flemish government increasingly recognises the importance of cross-border cooperation with the North of France and also takes initiatives in this field. Symptomatic of this trend is the cross-border cooperation in the field of safety. Safety is an essential task of any state. And every state ensures that this essential task is in the best possible manner. Citizens have entrusted the government with the protection of their personal safety, and the government has thus acquired exclusive rights to violence. Any government has the right and the duty to ensure the safety of its citizens, if necessary by taking recourse to violence through its own police system.

Cross-border cooperation in the field of safety thus implies that the cooperating governments will have to make concessions as to their core competences, which may affect the core of their state structure. In addition, although France and Belgium have the same legal, judicial and administrative roots, the structures and cultures are quite different. The difference between e.g. the cooperation between the judicial authorities and the police in both countries represents an obstacle to cross-border cooperation. And it is not the will between the different

partners that hinders cooperation, but it is the organisational structure within one country that prevents cooperation with the organisational structure within the other country and thus obstructs cross-border cooperation. Concrete practical cooperation in the field of security in the border regions therefore has been limited to overblown policy statements at the highest level. The virtual border that still exists between the different states limits cooperation between the security forces, something which does not affect criminals.

### 2.3. Opportunities

Cross-border cooperation also provides a number of opportunities. It enables West Flanders to link up with the metropolis of Lille. Metropolises are the vectors of development in the 21st century, not only in Europe, but throughout the world. This is illustrated by the evolution in Asia. High added value is concentrated in metropolises. They host the headquarters of worldwide companies, which have a major influence on the economic decision-making process because of their financial importance, and boast a high concentration of business services at international level, such as accounting, international law and marketing. These metropolises are attractive both to their inhabitants and to entrepreneurs, researchers and creative artists.

The region where our cross-border cooperation with France takes place meets the criteria of a metropolis, but reality shows us that the ultimate goal, the formation of a metropolis, has not been achieved yet. Both France and Flanders need to concentrate their forces to accomplish this objective. Individually we are too weak and unable to compete with metropolises such as Brussels and Paris, but together we form a larger whole that is able to face this challenge. The main condition is that the cooperation takes place on the basis of a balanced and equal partnership with respect for our language and culture.

Our cross-border cooperation with France goes back a long time, which offers the opportunity to go a step further and to experiment with the establishment of specific cross-border structures within a European context. The actual implementation of projects requires all actors to be united in a legal construction that provides sufficient guarantees as to the



implementation of these projects. The unity of action that needs to be achieved requires an original legal and political construction.

The Regulation on a European Grouping of Territorial Cooperation (EGTC) as published in the «Official Journal of the European Union» on 5 July 2006, which can be used in the member states of the European Union, offers the possibility to work out such a legal structure. Our region therefore took this opportunity and opted resolutely for the implementation of this legal structure. In the spirit of the elimination of the European internal borders it is furthermore logical that European funding mechanisms will support the establishment of cross-border structures. In West Flanders good use is made of this opportunity. On 22 January 2008 the European metropolis of Lille-Kortrijk-Tournai was established. And on 3 April 2009 the EGTS «West Flanders-Flanders-Dunkirk-Opal Coast» was officially installed.

## 2.4. Threats

Last but not least, there are some threats we seriously need to take into account if we want to prevent the cross-border cooperation from failing. First of all, the absence of actual, tangible results is a heavy burden on future enthusiasm for cross-border cooperation. Results have certainly been achieved in the field in the area of cross-border cooperation. So the situation is certainly not entirely negative, far from it.

But we must dare admit that we have underestimated the difficulties. The national border in daily life has proven tougher than we had expected or hoped for when the physical border limitations at the European internal borders were lifted in 1993. What's more, the disappearance of these physical limitations has made the practical obstacles even clearer. Shopping across the border is an everyday reality, but a French hospital or employment office is practically inaccessible. We need to accept that progress in cross-border cooperation is made in small steps, through many consultative channels, exchange forums and meetings. This is the price we pay for the involvement of many different people and bodies and for the choice we made for peaceful consultations.

A second threat is the fact that the early pioneers are at the end

of their careers. Their inspiration behind the cross-border cooperation is necessary to continue on the present road; knowledge can be passed on easily, but it is far more difficult to pass on inspiration. There are too few enthusiasts to hand over the torch of the cross-border cooperation to.

The cross-border cooperation with the North of France has moved forward considerably over the past years. It was the first European Grouping of Territorial Cooperation (EGTC). It is the result of the political will of fourteen Belgian and French local, regional and national authorities to proceed to the establishment of an effective instrument of multi-level governance that is active in two states (one of which is a federal state) and three regions. Nearly two million people live in a mainly urbanised territory where the European metropolis needs to formulate, in an integrated manner, an answer to the major challenges linked to several of the strategic domains falling under the competence of the European Union, such as economic growth and employment, innovation and sustainable development. Importantly, the European metropolis was established on the basis of the activities of a Franco-Belgian Parliamentary Study Group, running from 2005 to 2007, that formulated its conclusions with regard to the instrument of multi-level governance that would allow to overcome the legal and institutional obstacles limiting the efficiency of the cross-border cooperation between the two states.

The importance of the step taken with the establishment of the European metropolis of Lille-Kortrijk-Tournai cannot be stressed enough. For the first time in history a structure is established in an attempt to go beyond the national level within the scope of the cross-border operation. We need to do our best to give this initiative every chance to succeed. I am convinced that it is at the borders of the different states of Europe that it is possible to develop a European attitude at the local level, where governments no longer hold on to their own planning, participation, decision and financing procedures. The European metropolis needs to provide room for political debate, for the interpretation of the cross-border cohesion of the entire territory and for the implementation of concrete projects.

In this short period of time I have tried to give a testimony with regard to the cross-border operation between France and

Flanders, and West Flanders in particular. Cross-border cooperation is not an obvious thing. It is a story of trial and error. It is also not always a success story. In the field we must not shift to an idealistic view of cross-border cooperation, but need to take a pragmatic approach. We need to gradually demolish the virtual walls that have remained after the physical internal borders disappeared by means of specific projects.

### **3. European Grouping of Territorial Cooperation: Eurometropolis Lille-Kortrijk-Tournai**

To conclude I will briefly discuss in this last section the very first EGTC in the EU, namely the European metropolis of Lille-Kortrijk-Tournai, of which I am a privileged witness. My testimony furthermore fits in with the International Workshop organised here in Padua tomorrow and the day after by the Jean Monnet European Centre of Excellence, on «Multi-level Governance of Intercultural Dialogue», in particular with its session on «Territorial Cooperation and EGTC Practices».

When the European metropolis of Lille-Kortrijk-Tournai was officially established at the Budascoop cinema complex in Kortrijk as the very first European Grouping of Territorial Cooperation (EGTC), the then mayor of Kortrijk, Stefaan De Clerck, stated in his opening speech that the future would show whether this was a historical day. The establishment of a new structure was not an objective in itself, the evaluation would depend on the actions taken by the new structure. Barely two hours later, former French prime minister Pierre Mauroy clearly and explicitly called this day historical in his speech as first chairman of the brand-new European metropolis.

Is this an illustration of the difference between Latin enthusiasm and Flemish level-headedness? Or had it something to do with the fact that the establishment of the European metropolis was the pinnacle of Pierre Mauroy's long and successful political career, whereas Stefaan Declerck realised that he would have his hands full with making the structure work for the coming years? Whatever the case, barely two years later it is impossible to make final statements. But we can draw a number of conclusions on the basis of the first experiences.

And, as indicated above, we can also compare with the other EGTC that has in the mean time been established at the Franco-Belgian border, the EGTC West Flanders-Flanders-Dunkirk-Opal Coast.

A first conclusion is that the idea of a cross-border consultation and management structure for the largest cross-border agglomeration of Europe is still just as attractive. A look at the map of the region suffices to find the explanation: Kortrijk and Ypres are located barely 30 km from Lille, an agglomeration of over 1 million inhabitants. In a world where metropolises play an increasingly important role, mutual sympathy is only natural. It is therefore not surprising that cultural events, job fairs and even commercial initiatives use the term «eurometropolis» in their communication or publicity.

A second conclusion is that the establishment of a separate, legal structure entails numerous administrative obligations, such as the convening of general meetings, the election of a board of directors, the approval and management of a budget, the recruitment of staff and the like. Especially in an early stage these problems are not to be underestimated. Allow me to illustrate this with a simple example, the translation jobs. The province of West Flanders annually draws up a list of available translators and interpreters on the basis of a general invitation to tender. Our French partners work in the same manner. But a new legal structure that wants to issue translation jobs needs to organise such an invitation to tender on its own.

The administrative setup of the new structure is to be underestimated even less, as you have to deal with two legal systems and need to experiment, not to say improvise to a certain extent. The European Regulation on European Groupings of Territorial Cooperation defines the basic rules, but for the matters not covered in the regulation you need to fall back on the legislation of one of both member states. And choosing is always a bit losing, certainly for the «other» party, the country the subsidiary legislation of which is not selected. It is for example not easy to ensure in the EGTC Eurometropolis, which is based in Lille and consequently falls under the French legislation on local authorities, that people from Belgium can be recruited just as easily as people from France not only from a legal point of view, but also in practice. And, to be perfectly clear, this has nothing to do with supposed

unwillingness of the French partners, but everything with our legal structures, which are still poorly or not at all adjusted to a cross-border reality.

A third conclusion is that the stage of establishment of a new structure is almost inevitably to a large extent dominated by discussions on articles of association, procedures and administrative concerns. People barely talk about the content. However, the latter is rather essential: what do we want to achieve with the new structure, why do we establish it? But also: what can we achieve with this structure, given the absence of any transfer of powers, the limited budget and the modest complement of staff? There is a real danger that overly high expectations are raised which cannot be met. As indicated above, the name «Eurometropolis» sounds ambitious, but the cross-border staff team consists of only a few people.

Neither the Eurometropolis nor the EGTC West Flanders-Flanders-Dunkirk-Opal Coast, a structure for which a more attractive name still needs to be found, replaces the competent authorities on both sides of the border, and they can therefore only contribute to the solution of existing problems or the development of new opportunities with the cooperation of those competent authorities. Take the example of the plans for a new motorway in France through Lille, the A24, which also caused commotion in Belgium. The competent French, Walloon and Flemish authorities were not on the same line and the plans were abandoned. Could a structure like the Eurometropolis have solved this? Perhaps, but only provided the authorities in question had been prepared to look for a solution within the scope of the Eurometropolis. The Eurometropolis in itself didn't have the power, the means or the ambition to do that.

If we focus on the content, the tasks of the EGTCs, we notice that the EGTC instrument is actually especially suitable for the execution of technical tasks, such as managing a European subsidy programme. However, the two EGTCs at the Franco-Belgian border are in the first place political consultative bodies. This does not detract from their value; by embedding political dialogue in a separate structure you help ensure its continuity. However, it makes it difficult to immediately deliver concrete, tangible results with the new structure.

Even more so because there is already a cross-border reality

outside this cross-border legal structures. For example, 25,000 French residents of Nord-Pas-de-Calais cross the Belgian border every day to go to work, there are about a dozen conventions between French and Belgian hospitals at the border on the use of each other's range of care services, there is cooperation between universities and institutes of higher education, and there is a joint strategic committee in the field of police safety. This does not mean that everything works flawlessly all the time, far from it, but it does mean that the new structures need to take into account what already exists and do not start from scratch.

The fourth conclusion concerns the participation of higher authorities in the structure of the Eurometropolis and of the EGTC West Flanders-Flanders-Dunkirk-Opal Coast. This presence of higher authorities naturally has the advantage that all relevant authorities are represented and that it is possible to deal with almost any subject with the right partners around the table. The other side of the coin is that this presence of higher authorities strongly limits the freedom to take up positions or to lobby. How can a structure advocate something with the higher authorities if the latter are themselves represented in the structure? As you can see, the establishment of a new cross-border structure is certainly not a miracle cure that will make all border-related problems disappear just like that. But it is a strong signal, a strong affirmation. The fact that all authorities involved have shown themselves prepared to participate illustrates that they are aware of a growing, cross-border reality. This reality is in the first place of a spatial nature; neighbours border each other physically. I have already referred to the A24 and mobility: if traffic in and around Lille gets stuck, this often affects the accessibility of the south of West Flanders as well. However, it is also about spatial planning and environmental policy. Watercourses and the wind do not stop at the border. It will therefore not be surprising that the first visible actions of the Eurometropolis are in the field of mobility, with a declaration of intent of the management of the two railroad companies involved to improve the cross-border rail connections where possible and a common study of the mobility in and around the Lille agglomeration.

Apart from this obvious spatial component, there is also what I would like to call the Eurometropolis of the citizen: working,

studying, discovering culture or seeking medical care across the border. This surpasses good neighbourliness; it means, as it were, living together part of the time. This ambition is not self-evident, certainly not if there is a language difference on top of the institutional and cultural differences, but it is all the more challenging. In this context I can for example refer to research conducted under my guidance within the Eurometropolis study group «Service to the Population» with regard to the institutionalisation of French elderly citizens in Belgian rest homes or to the recent «Eurometropolis Innovation Meetings», where experts in the field of innovation, research and knowledge distribution from the three regions involved (North of France, Flanders and Wallonia) were brought together to share experiences and establish contacts.

I think that this last initiative is a beautiful example of what can be the added value of political EGTCs such as the Eurometropolis and the EGTC West Flanders-Flanders-Dunkirk-Opal Coast: generating interest across the borders, bringing people together, facilitating contacts so that the «other side» gradually becomes an increasingly familiar region. Perhaps this does not sound very spectacular, but it is revolutionary considering the European history of the past three centuries.

It is a privilege to be allowed to assist in this matter in my capacity as governor of West Flanders and Flemish coordinator of the cross-border cooperation with the North of France. I am convinced that we are making history here and that we contribute bit by bit to the development of a unified Europe in the spirit of Jean Monnet. It is this message I want to spread and pass on to you. Perhaps my contribution can also be useful for the interregional activities initiated by the Veneto Region, such as the establishment of an Adriatic Euroregion.

I would like to conclude with a reference to a statement by August Vermeulen, a Flemish author and politician, who already wrote in 1900: «We want to be Flemish in order to become Europeans». I think this is still a valid thought. A united Europe with respect for own identity and culture is our goal.