



Innovative Solutions to Cross-Border Obstacles:

European Cross-Border Convention (ECBC)

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- The **development potential of cross-border areas is not fully exploited** due to obstacles caused by the border situation:
 - The **Single Market is not completed**, in particular the free movement of workers (e.g. cross-border commuters) and of services
 - Citizens in border areas do **not have full access to nearest infrastructure and services of general interest**
 - In territorial terms, obstacles to cross-border activities and cooperation **reinforce the core-periphery divide** in many countries by preventing that the full potential of integrated cross-border areas is used
- In this context over-coming cross-border obstacles means to **support territorial cohesion** in Europe by addressing **functional geographies** and **territorial cooperation** for stronger regions.

Types of obstacles and instruments to address them - completing the toolbox



Concrete example: Wind turbines (FR-BE)



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- *Where:* Franco-Belgian border
- *Policy field:* Renewable energy
- *Nature of obstacle:* Legal



- *Problem:*
 - Different regulations on minimum distance between wind turbines and houses in France (500m) and Walloon Region (± 320 m).
- *Current situation:*
 - Unsatisfactory consultation process, law suits.

→ Any other way possible?



A five-step process for tailor-made, bottom-up solutions on a voluntary basis

- **Step 1: Identification of the obstacle** by the Initiators and **preparation of an ECBC proposal** (obstacle, rationale, draft specific provisions) to be proposed to Competent Authority.
- **Step 2a: Analysis of the ECBC proposal** (is obstacle real or based on misunderstanding) and **decision on go/no-go** by the Competent Authority.
- **Step 2b: Finding an existing solution or adoption of the ECBC proposal** with specific provisions by the Competent Authority.
- **Step 3: Approval of the ECBC** by the Competent Authority, potentially together with the Initiators.
- **Step 4: Application of the ECBC** by Competent Authority and the Initiators.
- **Step 5: Follow-up** by the national ECBC Coordination Point by including the ECBC in a national database and sending it to the European ECBC Platform.



- In contrast to the ECBC, the EGTC Regulation allows public authorities to set up an institutional structure with a set of tasks and objectives, but **regulatory and policy-making powers CANNOT be the subject of an EGTC.**
- The **ECBC would offer a complementary procedure** to find solutions by allowing the competent authority to apply foreign rules and provisions.
- Parallels between the ECBC and the EGTC regulation can be drawn regarding the establishment of the **regulatory framework for the ECBC:**
 - a **legal framework defined at the EU level.**
 - the **application and implementation is left to national and regional authorities** defined by Member States.
 - the **initiative taken by the (local) actors concerned.**
 - **approval by the concerned competent authorities** in each country.

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 - Different regulations on minimum distance between wind turbines and houses in France (500m) and Walloon Region (± 320 m).
- *Current solution:*
 - Consultation process that is unsatisfactory.
- *ECBC solution:*
 - **Competent authorities of Walloon Region and France would be involved in a structured consultation process with the stakeholders.**
 - **The ECBC could stipulate that Walloon Region accepts to respect French provisions regarding the minimum distance to French houses, even in the case of projects on Belgian territory.**



Thank you for your attention