

# CROSS-BORDER COOPERATION IN Cerdanya (SPAIN-FRANCE BORDER)

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## I. INTRODUCTION

The border between Spain and France, established in 1659-1660 by the *Pyrenees Treaty* and ratified by the *Limits Treaty* in 1866, divided Cerdanya (Low Cerdanya, in Spain, and High Cerdanya and Capcir, in France). Since then diverged strategies have been mobilized in each side that have provoked some differences in the transport infrastructures, education and health system, trade and architectural styles, legislation, symbology, language, temporary rhythms, among others. Despite all this Cerdanya can be understood as a «Cross-border region».

The current investigation is based on the theory approach to the cross-border regions, that are the result of a building process where the following elements converge: a) a territory divided by a political border, but where similar territorial process take place; b) some cross-border dynamics, which are social, economic and/or environmental; c) some interrelated territorial agents, who mobilize to implement projects of mutual interest; d) some projects carried out through cooperation; e) a common identity, based in the same culture, language, symbology, history or shared territory; and f) discourses and narratives (of geographical, historical, socio-economic and/or socio-cultural unity) that project the idea of sharing the territory, dynamics, projects and/or identity. In this context, the cross-border cooperation (CBC) constitutes one of the strategies of regional building.

The analysis of Cerdanya as a cross-border region has so far focused on the economic, cultural and social aspects, but CBC has received minor attention. Several factors have played a central role in its development, which have been used simultaneously as justification and finality: a territorial and cultural mobile identity, the persistence, disappearance or instrumentality of the border, and the construction of the discourse of «united Cerdanya».

## II. THE CROSS-BORDER COOPERATION FRAMEWORK IN THE SPANISH-FRANCE BORDER

Prior to the modern CBC several local collaborations took place, as the ones called «Treaties of Alliance and Facerias». These collaborations were maintained until the construction of modern liberal states and the final consolidation of the border with the *Treaties of Limits* (or *Bayonne Treaties*) of 1856, 1862 and 1866. The period 1850-1980 it is characterized by the legal limitations of cross-border collaborations in regional and local levels, although some remain more or less informal.

The modern CBC development started in 1980, with the founding of the Working Community of the Pyrenees (WCP), which currently is quite important, due to its density, diversity and durability. Since then several projects and agencies have been established, from regional scale to local scale. The key to understand its development is the integration of Spain and France into the European institutional framework, in addition to changes from the years 1970 to 1980 that occurred at supra-national and national level. The main factors are three: a) the decentralization of both states and the provision of financial and political autonomy to its sub-entities, which facilitated the establishment of CBC agreements; b) the legal support to the CBC offered by the Council of Europe (the *Madrid Convention*, 1980), the EU (*European Grouping of Territorial Cooperation Regulation*, 2006) and *Bayonne Treaty* between Spain and France in 1995, and c) the financial support offered by the EU to the CBC through INTERREG programmes, which currently (period 2007-2013) are channelled through the *Cross-Border Cooperation Programme Spain-France-Andorra (POCTEFA)*.

## III. THE CROSS-BORDER COOPERATION FRAMEWORK IN Cerdanya

During the period 1880-1930 mayors from both sides of the border occasionally convene assemblies and committees to address cross-border issues of mutual interest, such as the Trans-Pyrenees railway or the diversion of the waters of Lake Lanoux. After the break caused by Francoist regime in Spain, the willingness to cooperate was not raised again until late 1970's. Together with the general factors already exposed, its development from then it is explained by a local training and adaptation, a gradual economic and urban integration, and the decisive role in the early years of cultural institutions (as Institut d'Estudis Ceretans) and, later, by the local governments with the aim to build the discourse of «united Cerdanya» and to create places to meet.

Since 1981 the *Diada de la Cerdanya* is celebrated, which seeks to strengthen the unity, its Catalan identity and to deny the border. Municipalities and local associations are present. In 1989, with the start of INTERREG, the mayors showed a clear interest in the CBC and since then the *Diada* became the place to propose and debate projects and its possible funding. Throughout the years several areas have been treated: forest management and fire prevention, health care, transport infrastructures, tourism, water management, culture, education, etc. It was also proposed to establish a CBC organism that would join municipalities of both sides of the border to restore the territorial unity and develop a lifelong collaboration.

In 1991 the Association of Municipalities of Cerdanya was created, which comprised the majority of the municipalities, but the lack of funding and excessive high expectations led to a growing frustration and their dissolution shortly after. In the *Diada* of 1998 the

*Font Romeu Manifesto* was signed: it reclaims the creation of a new organism, with greater financial and political capacity. The creation process was not undertaken until 2008, but the organism was established in 2012 under the name Pyrenees-Cerdanya EGTC. Its target underlines territorial planning, transport infrastructure, Catalan language and culture, and economy and tourism. At the same time, in the stricter cross-border villages, Bourg-Madame-Puigcerdà and Llívia-Estavar, CBC was implemented in parallel, in several fields: tourism promotion, urbanization, health care, education, sports, culture, environment and economic development. In the different cases, in addition to the enthusiasm shown by some groups, also a certain scepticism and refusal was generated.

#### IV. SOME EXAMPLES

Four representative areas have been selected: the management of cross-border waters, health care, education, and livestock and food.

##### 1. Water management: cooperation as a mechanism of conflict resolution

The *Pyrenees Treaty* changed to cross-border several rivers, water sources, springs and infrastructures of the Segre basin. The water control has undergone major disputes, as in the case of the irrigation channel of Puigcerdà, which takes its water from the river Querol on French soil. With the *Limits Treaty* of 1866 was intended to end the litigation, although the competition for water has remained to date motivated by changes in land use (energy production, increment in domestic consumption and tourism development), along with episodes of drought or contamination. Among the main conflicts there is the dispute to take hydroelectric advantage of Lake Lanoux.

CBC has emerged as one of the main reconciliation mechanisms, with two main goals. First, to resolve and to prevent arguments and, second, to implement a shared management on the basis of environmental and sustainability principles. The first contacts, unsuccessful, were established in 1970's with the proposal of a water treatment plant for Puigcerdà, Llívia and Bourg-Madame, although the growing urban and tourism pressure made more urgent the sewage treatment. Finally in 1994 it began the construction of the plant in Puigcerdà, which became operational the following year, and collectors were connected to it in various villages of Upper Cerdanya. At the same time, several projects were implemented in relation to the river Querol, including the construction of a second treatment plant in Latour-de-Carol-Enveitg, operating since 2009. In order to intensify the integration, the Consell Comarcal de la Cerdanya and the Charte Intercommunale de Cerdagne launched in 2004 a cross-border «contrat de rivière» for the integral management of Segre.

##### 2. Health care: from fortuitous events to a pioneer cooperation in Europe

The interest in cross-border healthcare is reflected from late 1970's. It is mainly that the population of Upper Cerdanya and Capcir can go to the hospital of Puigcerdà, which is 1 km from the border. In addition to the technical, legal or financial difficulties, it has had to be overcome –perhaps as in any other case– psychological barriers: French population

showed stronger reticence regarding the quality of Spanish healthcare services and facilities. In changing this perception were key two fortuitous events occurred in 1996 and 2001 that forced French people to go to the hospital of Puigcerdà. After these events, two agreements were signed between the French and the Catalan healthcare agencies, about health services and coverage of medical expenses.

Once seen the positive results in cross-border healthcare, in 2003 it was signed the agreement to create the largest project till now: Hospital of Cerdanya (HC), the first cross-border new hospital to be build in Europe. In 2010 it was constituted its managing body, the EGTC Hospital of Cerdanya, and is expected to be operational by mid 2013. The HC serves two main objectives, one of care and the other of economic development, which entails several challenges, most notably two: the construction of new facilities and a better technical, financial and legal reconciliation between French and Catalan healthcare systems.

Finally, in a new step to integration, in 2010 the Catalan and Languedoc-Rousillon healthcare agencies launched the «European Healthcare Project of Cerdanya» which has the aim to integrate specialized health services (emergency, maternity, geriatrics, rehabilitation, nephrology, radiology, addictology, mental health and paediatrics) in a cross-border network that brings together the HC and four French private healthcare centres.

### **3. Education: is it a failed cooperation?**

Projects developed in education can be classified into two groups. Firstly, the ones that support the build of new schools, in a space as close as possible to the border, accompanied by the implementation of an educational model homologated by French and Catalan (Spanish) systems. So far it has not been able to do it. It is the case of buiding a nursery (for Puigcerdà and Bourg-Madame), two primary schools (one for Llívia and Estavar and one for Puigcerdà and Bourg-Madame) and an institute of post-compulsory secondary education (in Puigcerdà for all the Cerdanya).

Secondly, projects located between existing schools, which include a wide variety of educational activities, involving teachers and students from both sides. These have had greater success and continuity. It is worth to mention various school exchanges, holding school festivals, including *Festa de l'Arbre* (since 1992) and *Jocs Olímpics dels Petits Muntanyencs / Jeux Olympiques des Petits Montagnards* (since 2005), or the development of pedagogical materials, such as the educational kit «The Segre, a river without borders», available since 2009.

### **4. Livestock and food products: cooperation as added value**

Unlike the previous examples, this corresponds to an economic sector, the agriculture, which since the 1970s is in clear regression. In 2001, taking advantage of the changes introduced by European standards in animal products raised the status of the three existing slaughterhouses (Puigcerdà, Bellver and Bourg-Madame). It was considered the possibility to reform them or build a single and new cross-border one to replace them, finally opting for that second option. With Ur cross-border slaughterhouse is expected to increase profitability, ensure continuity of the livestock sector and develop a quality meat sector. Its entry into

service is scheduled for late 2012. The «corporate governance» will be given by the EGTC Pyrenees-Cerdanya, while the business management will be given by the Association de Gestion de l'Abattoir transfrontalier de Cerdagne en Pyrénées Catalanes, an organization that brings together farmers and butchers from both sides of the border. In a similar way lies the proposition for cross-border labels of quality food products: a Protected Geographical Indication for meat products (*IGP Rosée Vedell et des Pyrenees Catalanes*) and the extension to High Cerdanya and Capcir of two protected geographical indications for dairy products (*DOP Formatge* and *DOP Mantega de l'Alt Urgell i la Cerdanya*).

## V. CONCLUSIONS

In the construction of Cerdanya as a cross-border region, several territorial agents have been mobilized on both sides of the border (local administrations, politicians, civil organizations and private agents). That generates and reinforces the discourse on a geographical, economic and cultural unity and, consequently, the idea of sharing the territory, the identity and dynamics.

The territorial distribution of the regional construction process has two spaces. Firstly, an ideal place where the unity discourse is built, overcoming the border and promoting CBC. This space is the whole Cerdanya, but leadership is exercised by Low Cerdanya agents. The second is a smaller space superimposed on the earlier, where most of the projects are implemented. This is strictly limited to border villages, where the CBC is warranted in a more functional than rhetoric sense. In this space High Cerdanya agents predominate but leadership is often exercised from Puigcerdà.

There are several differences between rhetoric and practice, as the following ones. First, the «united Cerdanya» is present in the justification and the results achieved by CBC, but the involvement of the agents from both sides of the border is unequal. From French side is perceived an excessive domination by the Spanish side, although in recent years this relationship is changing towards a more shared management. Second, sometimes using the «border» for greater advantages on one side, to press and force decisions. Third, although the willingness of an institutional integration is shown and reinforced by holding events, forums and creating permanent cross-border organisms, its practical utility is less than the one desired. Fourth, the absence of a better coordination and reflection on a regional scale, consistency of projects or sharing the results and lessons learned.

On the other hand, it can be highlighted three main characteristics of CBC regarding the motivations, the object and its evaluation. First, in addition to a pecuniary interest there are other motivations, such as resolution of border conflicts, adding value in production sectors, or the formation of sufficient population to get services, equipment or supramunicipal infrastructures. Second, the object of cooperation (shared use and management of services, activities, equipment or infrastructures) follows two complementary strategies based on their prior existence (a cross-border resizing) or its new creation (a cross-border sizing). Third, the evaluation of the processes and the results in each area shows different interpretations, being diverse the reasons for success or failure (disagreement between agents; slow administrative, political, technical or financial rhythms; permanence of psychological, linguistic or legal barriers, etc.).

Finally, the integration of Cerdanya through CTF in the last 30 years is, in perspective, a significant success, for Cerdanya and for French-Spanish border, which is reflected in the process of overcoming the border as a physical, legal and mental limit between two different territorial realities. This aspect should be emphasized since it is often forgotten and, on the contrary, it is emphasised the technical, financial, administrative and legal aspects.