



▶ Região Autónoma dos Açores ▶
▶ Autonomous Region of the Azores ▶

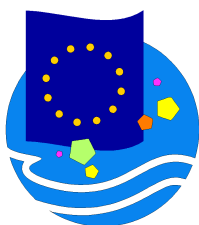


▶ Commission des Iles ▶
▶ Islands Commission ▶

XXX Conferencia de la Comisión de las Islas de la CRPM Azores, Portugal - 20 y 21 de mayo de 2010

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Commission des Iles ▶ Islands Commission ▶ Ö-kommissionen ▶ Επιτροπή των Νησιών

Comisión de las Islas ▶ Comissão das Ilhas ▶ Commissione delle Isole

Saarte Komisjon ▶ Kummissjoni ta'Gúejjer ▶ Ø Kommission

XXX Conferencia de la Comisión de las Islas de la CRPM Azores, Portugal - 20 y 21 de mayo de 2010

DECLARACIÓN FINAL

Reunidas en las Azores con motivo de la XXX conferencia anual de la Comisión de las Islas de la CRPM (Conferencia de Regiones Periféricas Marítimas), las autoridades regionales insulares europeas cuyos nombres figuran a continuación:

**Azores (PT), Balears (ES), Bornholm (DK), Canarias (ES), Gotland (SE),
Hiiumaa & Saaremaa (EE), Isle of Man (UK), Madeira (PT), Orkney (UK), Outer Hebrides (UK),
Shetland (UK), Sicilia (IT),**

Quieren, antes que nada, dar las gracias al Gobierno de las Azores y a su población por haber albergado la reunión.

Aprueban la siguiente declaración final y las declaraciones anexas:

- Toman nota de que, en la comunicación «EUROPA 2020», la Comisión sitúa entre sus principales prioridades la promoción de una «economía que haga un uso más eficaz de los recursos, que sea más verde y competitiva», fomentando al mismo tiempo «una economía con alto nivel de empleo que tenga cohesión social y territorial».
- Expresan su total apoyo a estos objetivos a los que pueden contribuir de diversas maneras, al menos a través de las posibilidades que brinda su geografía, los recursos naturales de su suelo o de los mares cercanos, o la fuerza derivada de la riqueza y diversidad de su identidad.
- Consideran que para que las islas cosechen los frutos de una «Una estrategia para un crecimiento inteligente, sostenible e integrador», como pone de manifiesto la estrategia EUROPA 2020, resulta fundamental integrar lo más estrechamente posible el desarrollo sostenible en el concepto de cohesión territorial. Efectivamente, el desarrollo sostenible sólo alcanzará un sentido para las islas y sus habitantes si a su vez contribuye a fortalecer la cohesión territorial con el resto de la Unión Europea.
- Consideran que la Unión Europea debería aceptar, en el marco del artículo 174 que insta a la cohesión territorial, que probablemente sean necesarias medidas especiales para que las islas aprovechen de lleno las oportunidades que brinda el desarrollo sostenible.
- Consideran que el concepto de “atractividad” subrayado en el informe preliminar del estudio «Euroislands» de ESPON encarna la principal problemática de las islas, que no es tanto una problemática de riqueza con relación al resto de Europa como la posibilidad de que las islas conserven el atractivo necesario para mantener su población y las actividades económicas. El concepto de atractividad está estrechamente relacionado con problemáticas como la accesibilidad, el equipamiento en infraestructuras (especialmente en los sectores de la salud y la educación) y los servicios de interés

general (como la energía, el agua, la comunicación, el transporte, etc.), la calidad del medio ambiente, unas condiciones de vida satisfactoras y el fomento de una identidad cultural floreciente.

- Recuerdan que, para integrar el objetivo de cohesión territorial en los objetivos de desarrollo sostenible, es preciso definir un marco adecuado, lo que en la práctica significa:
 - a) que es preciso evaluar la realidad de las islas –humana, económica, social, ambiental- mediante instrumentos estadísticos más adaptados al nivel insular, que es la única zona funcional pertinente para estos entes geográficos.
 - b) que la legislación europea debe abordar las situaciones de las islas con cierta flexibilidad, gracias a mejores mecanismos de gobernanza.
 - c) que las políticas europeas tienen que reconocer las consecuencias de las características específicas de las islas (pequeño tamaño, aislamiento y lejanía, entorno natural y cultural especialmente rico, pero vulnerable) y los sobrecostes que con frecuencia se derivan de la insularidad, con el fin de tener la seguridad de que son tomados en cuenta por los instrumentos financieros conforme al principio de proporcionalidad.

Y particularmente:

En el ámbito de la política regional :

- Expresan el deseo de que la futura propuesta de la Comisión relativa a la política de cohesión post-2013 tome en cuenta los puntos enumerados más arriba, y respaldan las conclusiones de la conferencia relativa al «reconocimiento de la insularidad en la política regional europea », organizada por el gobierno balear bajo la égida de la presidencia española, el 26 de abril de 2010 [véase *Declaración de las Baleares “[Propuestas de mejora para el tratamiento de los territorios insulares en el marco de la política regional europea](#)”- anexo 1 p. 9*).
- Aprueban las críticas expresadas en la nota relativa al documento de trabajo de la Comisión sobre la situación de los « territorios específicos » y piden a la DG REGIO y a EUROSTAT que diseñen instrumentos de análisis más y mejor adaptados [véase el documento *«[NOTA CRÍTICA sobre el Documento de Trabajo de la Comisión Europea \(DG REGIO\) «Los Territorios con características geográficas particulares» \(02/2009\)](#) »* (anexo 2 p. 15) y la Resolución específica que figura más abajo p. 5],
- Piden que la futura política de cohesión tome en cuenta la dimensión insular cuando se defina la escala de intervención, ya sea a nivel de las regiones funcionales o a nivel de las macrorregiones.
- Consideran una etapa positiva la creación por parte de la Comisión Europea de un grupo interservicios para tratar las problemáticas de cohesión territorial, entre ellas la situación de los territorios con desventajas graves y permanentes, y expresan el deseo de ser consultadas por dicho grupo.

En el ámbito de la energía y del cambio climático en Europa:

- Expresan su agradecimiento a la DG ENER de la Comisión Europea y al Parlamento Europeo por el apoyo prestado a través del programa ISLE-PACT, y su respaldo a los objetivos de éste último [véase la Resolución específica que figura más abajo- p. 4].

En el ámbito del Transporte:

- Expresan su agradecimiento a la DG MOVE de la Comisión Europea por su cooperación en el marco del seminario sobre cabotaje marítimo insular celebrado en la isla de Bornholm los días 18/19 de febrero de 2010, y aprueban las conclusiones de dicho seminario « [véanse *[las conclusiones del seminario](#)* - anexo 3 p. 27].

Contexto medioambiental y riesgos naturales

- Llamam la atención de las autoridades comunitarias sobre la gran fragilidad de las islas en el terreno medioambiental, y sobre el alto grado de exposición de muchas de ellas a los riesgos naturales (riesgos volcánicos, sísmicos, fenómenos climáticos extremos, etc.) cuyo impacto se multiplica con frecuencia tanto a nivel humano como económico, debido al aislamiento de tales territorios y al agrupamiento de la población en espacios limitados.

Llamam al Consejo europeo de ministros, al Parlamento Europeo (y particularmente a los intergrupos «Montañas, Islas, Regiones con baja densidad de población» y «Mar y Zonas costeras»), a la Comisión Europea en su conjunto y al Comité de las Regiones y al Comité Económico y Social a apoyar las anteriores propuestas.

Adoptada por unanimidad

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RESOLUCIONES ANEXAS

RESOLUCIÓN SOBRE EL PROYECTO ISLE-PACT (Presentada por las Hébridas Exteriores)

Las Autoridades regionales insulares europeas, reunidas en las Azores los días 20 y 21 de mayo de 2010:

- Consideran que tienen tanto un deber moral como un interés vital en contribuir activamente a los esfuerzos destinados a reducir las emisiones de gases de efecto invernadero propuestos por la Unión Europea.
- Consideran que disponen del potencial necesario para incidir en los esfuerzos de la UE en el marco de la lucha contra las causas el cambio climático, no sólo favoreciendo un mejor uso de los recursos energéticos en su territorio, sino también desarrollando el potencial, a veces considerable, en energías renovables. Es conveniente considerar este potencial como una de sus principales bazas, tanto desde el punto de vista económico como medioambiental, y como un medio para aplicar el objetivo de cohesión territorial definido en el artículo 174 del Tratado.
- Reconocen que la finalidad del Pacto de las Islas consiste en esforzarse por superar el objetivo definido por la UE para 2020, reduciendo las emisiones de CO₂ en sus respectivos territorios en por lo menos un 20%.

Para conseguirlo, es preciso :

- Conseguir el compromiso político de las autoridades insulares participantes con el fin de alcanzar los objetivos del « Pacto de las Islas », un acuerdo voluntario similar al Pacto de los Alcaldes, que pone de relieve la sostenibilidad en las comunidades insulares.
- Planificar :
 - la preparación y aplicación de los Planes de actuación de energía sostenible para las islas.
 - la preparación, la financiación y la realización de proyectos financiables («bankable project»),
- Movilizar a la sociedad civil y otras partes interesadas esenciales en nuestras islas para participar en el desarrollo de planes de actuación y de los proyectos financiables correspondientes.
- Llevar a cabo diferentes acciones para promover estos planes de actuación y su aplicación.

- Declaran que, para materializar este compromiso, esperan de la autoridades europeas y nacionales que:
 - Tomen en cuenta, especialmente en el marco de la futura Política de Cohesión, los costes suplementarios ligados a la construcción de infraestructuras y a la aplicación de las políticas en territorios aislados y alejados como las islas.
 - Apliquen activamente lo dispuesto en el artículo 170 del Tratado de la Unión Europea sobre las redes transeuropeas y la necesidad de conectar las islas y las regiones periféricas con las Regiones más centrales de la Comunidad.
 - Tomen en cuenta lo dispuesto por el artículo 349 del Tratado de la Unión Europea que se aplica a las regiones ultraperiféricas.
 - Tomen en cuenta el hecho de que, en estos territorios que por definición cuentan con un espacio limitado, la designación de zonas amplias en el contexto de las normativas medioambientales puede limitar excesivamente el desarrollo de los programas de energía renovable y, que en caso de conflicto, estas autoridades tomen en cuenta un planteamiento equilibrado en el que la reducción de las emisiones de CO₂ sea prioritaria.

Aplicación

La Conferencia anual 2010 de la Comisión de las Islas:

- I. Valora los esfuerzos del Consejo de las Hébridas Exteriores y de ISLENET para la obtención de financiación de la iniciativa del Pacto de las Islas a través del proyecto europeo cofinanciado ISLE-PACT.
- II. Sobre la base de los puntos subrayados en la presente resolución, apoya la iniciativa ISLE-PACT y alienta a sus miembros a firmar y respaldar activamente el Pacto de las Islas.

Adoptada por unanimidad

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RESOLUCIÓN SOBRE UN SISTEMA DE INDICADORES ESTADÍSTICOS PARA LA COHESIÓN TERRITORIAL

(Resolución presentada por el Secretario Ejecutivo de la Comisión de las Islas)

Es comprensible utilizar el PIB para el reparto presupuestario entre Estados, en la medida en que refleja la productividad económica, que en principio tiene una incidencia en los recursos fiscales y, en consecuencia, en los medios financieros. Aunque esto habría que matizarlo... para los pequeños Estados insulares especialmente.

Pero el PIB no puede ser el único indicador del dinamismo económico y del progreso social, aunque se acople con las cifras del desempleo. Es el sentido de las reflexiones de la Comisión Europea y de numerosos Estados miembros en los trabajos en curso denominados «Las limitaciones del PIB».

Están llevándose a cabo numerosos trabajos para crear indicadores destinados a calcular la dimensión medioambiental y la sostenibilidad de los resultados económicos y sociales de las políticas públicas (salud, uso renovable de los recursos, vínculo social, etc.).

Sin embargo, queda por hacer una amplia tarea para determinar los indicadores de la cohesión territorial. Excepto algunos estudios en curso, realizados, entre otros, por ESPON y ciertos organismos nacionales, pocos trabajos tienen como marco de trabajo la búsqueda de indicadores en la dimensión territorial de un sistema coherente.

Hasta la fecha, raras veces se dispone de datos a un nivel territorial distinto de las NUTS, y su ausencia ocasiona la utilización de datos agregados sin gran valor operativo como en el « Documento de Trabajo de la Comisión sobre los Territorios Específicos».

Por lo que respecta a los territorios específicos, como las islas, los indicadores han de reflejar sobre todo las desventajas territoriales, no ligadas directamente a las situaciones socioeconómicas, como **la accesibilidad** (tamaño, aislamiento, frecuencia y costes de los transportes, disponibilidad de servicios públicos y privados...), de **recursos naturales** (agua, energía) y en líneas más generales de **entorno natural y cultural** (vulnerabilidad del territorio ante la contaminación, importancia de las zonas protegidas, patrimonio...).

En el caso de los territorios específicos que se conocen mal como sistemas, y en un contexto de incremento de las desigualdades territoriales, debe realizarse un trabajo metodológico de análisis y de recogida de información, no en las zonas NUTS sino en el marco de zonas funcionales (la zona donde la gente vive, trabaja, accede a los servicios...); dicho de otra manera la isla y/o el archipiélago, y también, a nivel infrainsular, las montañas del interior separadas de la costa...

Es importante pensar, en torno al tema de la atractividad de los territorios específicos, en la creación de un «sistema de información» sobre estos temas, con objeto de contar no sólo con datos sino también con medios para definir un sistema de indicadores que permita fundamentar y evaluar políticas adaptadas a territorios, analizados como sistemas.

A nivel de la isla, por ejemplo, zona funcional significativa, el objetivo consiste en disponer de una gama de indicadores que correspondan cada uno a una prioridad política. He aquí una lista no exhaustiva :

- transporte / infraestructuras: grado de accesibilidad a una gama de servicios, tamaño de la población a la que prestan servicio...
- ayudas estatales : tamaño del mercado de proximidad; ponderación con arreglo a las variaciones estacionales...
- medio ambiente: índice de vulnerabilidad
- energía: dependencia energética, potencial de desarrollo REN etc.

La reflexión sobre la atractividad de los territorios y una mejora de su conocimiento estadístico son requisitos imprescindibles para la eficacia de las políticas comunitarias en estos territorios, mediante una flexibilidad y una proporcionalidad debidamente calculadas.

La Comisión de las Islas de la CRPM desea ir más allá del PIB y de las NUTS y pide a la Comisión que desbloquee los medios para crear un «sistema de información » sobre los Territorios Específicos que permita calcular, evaluar y tomar en cuenta las realidades insulares..

Adoptada por unanimidad

DECISIONES ADMINISTRATIVAS

Lista del Buró Político (Elegido en las Azores, mayo de 2010)

- **Presidente**

ACORES

Carlos CESAR, Presidente do Governo Autónomo dos Açores (PT)

- **Vicepresidentes**

ITALY

Raffaele LOMBARDO, Presidente Regione Siciliana (IT)
(Substitute for the President at CPMR Political Bureau)

GREECE - To be nominated

FINLAND - To be nominated

SPAIN

Francesc ANTICH I OLIVER, Presidente Govern de les Illes Balears (ES)

DENMARK

Willi GROSBØLL, Mayor, Bornholms Regionskommune (DK)

ESTONIA

Hannes MAASEL, County Governor (EE)

FRANCE - To be nominated

SWEDEN

Eva NYPELIUS, County Mayor, Gotlands Kommun (SE)

MALTA - To be nominated

UK

Alex MAC DONALD, Convener, Western Isles (UK)

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Próxima Asamblea General

ASAMBLEA GENERAL DE LA COMISIÓN DE LAS ISLAS

La XXXI Asamblea General de la Comisión de las Islas se celebrará en la primavera de 2011 en Saaremaa (EE) invitados por el Gobernador de la Región, Toomas KASEMAA.

Anexo 1

**Cumbre “El reconocimiento de la insularidad
en la Política Regional Europea”**

Palma, 26 de abril del 2010

**Propuestas de mejora para el tratamiento
de los territorios insulares en el marco de
la política regional europea**

Declaración Final

La política regional es el principal medio comunitario al servicio de los territorios insulares para superar sus limitaciones estructurales y para aprovechar su potencial de desarrollo y crecimiento. No obstante, hace falta una mejora de esta política para posibilitar que las islas, que son parte integrante del mercado único europeo, saquen plenamente provecho, tanto en términos económicos como sociales. Esta mejora debe incluir diferentes aspectos que se detallan a continuación.

1. Introducción de evaluaciones de impacto de la insularidad para crear un marco más adaptado

La reforma de la Política Regional debe ir acompañada al mismo tiempo de la creación de un **marco comunitario integrado que responda con eficacia a las limitaciones a las que se enfrentan los territorios insulares europeos** en términos de desarrollo y competitividad, ofreciéndoles al mismo tiempo la posibilidad de explotar su potencial. Con este fin, **es importante que todas las medidas y políticas de la UE con un impacto sobre las islas europeas y estados miembros insulares vayan precedidas de evaluaciones de impacto que tomen en cuenta esa dimensión insular.** Las evaluaciones ayudarían a la creación de este marco integrado para adaptar, cuando fuera necesario, las políticas europeas a las condiciones específicas de los territorios insulares. Esta iniciativa permitiría evitar que ciertas políticas tengan repercusiones negativas o que existan contradicciones entre diferentes políticas, contribuyendo así a aumentar la capacidad de las islas de contribuir al crecimiento de la Unión y reforzando al mismo tiempo su cohesión.

2. La ampliación de los criterios de elegibilidad basados en el PIB per cápita

En la programación 2007-2013 el PIB per cápita se ha utilizado como único indicador para definir la elegibilidad de las regiones en el marco de los objetivos establecidos en la Política Regional. Ello no permite dar cuenta de la complejidad de la noción de cohesión. Este indicador ignora que la cohesión implica una dimensión mucho más amplia que incluye componentes sociales, ambientales, territoriales y otros relacionados con la innovación y la educación. Consecuentemente, nuevos indicadores que tengan en cuenta estas dimensiones se deberían diseñar y utilizar para establecer la elegibilidad de las regiones a determinados instrumentos.

En el caso insular, la utilización del PIB como criterio resulta inadecuada para poder entender de una manera satisfactoria su realidad y para poner de manifiesto las diferencias que separan a las islas del resto del territorio de la UE. **Nuevos indicadores, que utilicen datos estadísticos más pertinentes, deberían proporcionar una imagen estadística bien definida del nivel de desarrollo de las islas y una comprensión satisfactoria de las regiones con desventajas geográficas permanentes.**

En este sentido, la información estadística muy territorializada es fundamental para saber qué ocurre en las islas de la UE y detectar disparidades y desigualdades estructurales. Por ello es preciso asignar recursos extraordinarios a recopilar datos o elaborar indicadores adecuados y a conseguir la consideración de todos los territorios insulares como unidades estadísticas diferenciadas. Es preciso evitar, como con frecuencia sucede con las islas cercanas al continente, que se oculte la situación de una isla debido a su integración en un conjunto estadístico más vasto, de nivel NUTS II, pero cuya realidad territorial es objetivamente diferente.

En ausencia de una clasificación en NUTS II, es importante que la situación de un territorio insular pueda apreciarse a partir del nivel de nomenclatura estadística comunitaria más cercana para la que se disponga de datos (por ejemplo, el nivel NUTS III debería poder utilizarse, llegado el caso, para tomar en cuenta el PIB per cápita de una isla, en lugar de amalgamarla con el continente vecino).

3. Una consideración especial para las regiones insulares europeas

El artículo 174 del Tratado, que fija el objetivo de cohesión económica, social y territorial, reconoce que las islas padecen desventajas geográficas graves y permanentes. Aboga también por prestarles especial atención en el marco de las acciones destinadas a las regiones menos favorecidas. Debido a sus diferentes desventajas, y sobre todo las relacionadas con el aislamiento o con su limitado tamaño, las islas son regiones desfavorecidas a nivel territorial, y con mucha frecuencia a nivel económico y social. **La Política de Cohesión tiene que abordar la situación insular no sólo a través de la Política Regional, sino también a través de las diferentes políticas comunitarias con impacto territorial significativo sobre el desarrollo de estas regiones.**

Además, es preciso conceder especial atención a las islas afectadas no por una sola sino por varias de las desventajas mencionadas en el artículo 174, como las islas montañosas o las muy escasamente pobladas. Lo mismo puede decirse de los archipiélagos que se ven afectadas por una **doble o múltiple insularidad**. Estos territorios sufren desventajas adicionales derivadas de su fragmentación y de su dimensión geográfica limitada. Señalemos igualmente la situación de un buen número de islas costeras que padecen graves desventajas ligadas a la microinsularidad. Todo ello hace que las limitaciones que impone la insularidad se acentúen y que haya a menudo una falta de servicios para la población.

El reconocimiento de la insularidad por la política regional europea y otras políticas comunitarias debe ir acompañado por la aceptación de que las desventajas que la insularidad supone tienen un coste, y que dicho coste es mucho más elevado cuando se afrontan situaciones donde las desventajas son múltiples. Dicha aceptación debe plasmarse concretamente en la asignación de incentivos proporcionales a la intensidad de las desventajas. El objetivo último es asegurar unas posibilidades de desarrollo más equiparables a las del resto de territorios europeos.

Desde esta perspectiva, conviene recordar que la mayoría de las islas europeas se caracterizan (además de la insularidad) por ser regiones periféricas situadas en las fronteras externas de la UE. Es éste un factor geoestratégico que debe tomarse en cuenta, ya que estos territorios están expuestos con frecuencia a los riesgos inherentes a su ubicación: proximidad a zonas de conflicto, inmigración irregular o tráficos de diferentes tipos, exposición a la contaminación marina de origen accidental o intencionado, etc. Poniendo en marcha una política de cohesión territorial que contribuya a la prosperidad de los territorios insulares y al mantenimiento de la población, la UE contribuirá a reforzar la seguridad de sus fronteras y, por lo tanto, su propia estabilidad.

Además, hay que mencionar la contribución de las islas a la diversidad de la Unión, tanto en el terreno ambiental (hábitats, endemismos, etc.) como cultural (lengua, patrimonio arquitectónico, gastronomía, tradiciones, etc.). Es legítimo pues asignar medios para proteger la etniodiversidad, pues además de constituir un patrimonio cultural de gran valor a menudo encierra las claves para conseguir una explotación sostenible de los recursos naturales.

4. Un enfoque integrado y flexible para tratar la situación de los territorios insulares

Ha de crearse un marco integrado (político, jurídico, financiero) para tratar la situación de las islas europeas, marco que ha de permitir la flexibilidad necesaria para tomar en cuenta su gran diversidad.

Es innegable que, debido a factores como la dimensión geográfica o demográfica, el aislamiento, la disponibilidad de recursos naturales, el clima o incluso la historia o el contexto político, las islas europeas presentan unas situaciones muy variadas, siendo cada isla en sí un caso particular. Por tanto, no pueden aplicarse exactamente las mismas medidas y las mismas soluciones a todas las islas sin tener en cuenta esta realidad.

Pero no deja de ser cierto que, pese a su considerable variedad, el hecho de ser territorios aislados y limitados hace a las islas diferentes del resto del territorio europeo. Económicamente frágiles, ecológicamente vulnerables, las islas son también lugares donde la interacción entre diferentes factores – económicos, energéticos, sociales, ambientales – tiende a ser especialmente rápida y brutal y particularmente sensibles ante los retos del cambio climático.

Así pues, las islas necesitan, quizás más que cualquier otra parte, la aplicación de un enfoque integrado de las diferentes políticas, tanto horizontalmente (mediante un planteamiento intersectorial en las principales políticas con impacto territorial –PAC, PDR, PPC, ayudas estatales...), como verticalmente (asociando las dimensiones regional, nacional y comunitaria).

A nivel comunitario, un primer paso hacia el enfoque integrado podría ser la creación dentro de la Comisión Europea de un “grupo interservicios” para las islas o, en general, para los territorios con desventajas geográficas o demográficas graves y permanentes.

La complejidad y la diversidad de las situaciones insulares requieren igualmente que la legislación y las políticas comunitarias den muestras de cierta flexibilidad con estos territorios. **El fundamento de este marco podría ser tolerar, por principio, la aplicación a las islas de medidas de adaptación al derecho comunitario, siempre que tales medidas contribuyan a reforzar la cohesión territorial de la UE, cumplan con el criterio de proporcionalidad, no pongan en entredicho los fundamentos de las políticas comunitarias ni alteren significativamente el funcionamiento del mercado interior.**

Citemos, como un ejemplo de las medidas a tomar, el caso de las directrices sobre las ayudas estatales con finalidad regional, que autoriza la concesión de ayudas al funcionamiento que permiten asumir parte del sobre coste de transporte que afecta a las empresas. Dicha medida, que actualmente está autorizada sólo en las regiones con baja densidad de población o en las regiones ultraperiféricas, podría extenderse a las regiones insulares sin ocasionar distorsiones de importancia –el importe de las ayudas es por definición proporcional al coste.

5. Aplicar el principio de proporcionalidad para avanzar hacia la cohesión territorial.

Es innegable que, a medida que se ha avanzado en la integración europea, ha habido cierto reconocimiento formal de la insularidad a nivel normativo. Pero los ejemplos son bastante desiguales y, aunque algunos merezcan ser destacados (en el ámbito del transporte marítimo, especialmente), apenas puede hablarse de un esfuerzo coordinado. En cambio, cabe destacar que, en el terreno financiero, el reconocimiento de la insularidad apenas se ha manifestado, o sólo de manera muy secundaria. Aunque un gran número de islas hayan recibido, en un momento u otro, ayudas de las políticas estructurales, dicha ayuda se les ha concedido generalmente sobre la base de criterios comunes al conjunto de la Comunidad (especialmente el PIB per cápita), y no sobre la base de la realidad insular.

Sin embargo, es indiscutible que, en muchos casos, resulta más oneroso poner en marcha las políticas públicas en las regiones insulares (y más aún en las islas montañosas o los archipiélagos...) que en el continente. La importación de materiales o servicios, la ausencia de economías de escala, las dificultades del terreno, etc. se traducen en necesidades financieras más elevadas. **Porque la aplicación de una misma política tendrá un coste mayor, parece legítimo que las políticas comunitarias asuman los sobrecostes, respetando estrictamente el principio de proporcionalidad.**

En este contexto, cabe recordar que el artículo 170 del Tratado relativo a las redes transeuropeas subraya la necesidad de mejorar los enlaces entre las regiones periféricas e insulares y las regiones centrales de la Unión. **Con la vista puesta en el aumento de los medios destinados a las redes transeuropeas de transporte, comunicación o energía, parece legítimo que, para responder a las obligaciones del Tratado, se destinen proporcionalmente más medios a los proyectos que conciernen a las regiones insulares.**

6. La reconsideración de las normas para la cooperación transfronteriza

La programación 2007-2013 ha reconocido por primera vez a las islas europeas como elegibles para la cooperación transfronteriza, dentro del Objetivo de Cooperación Territorial de la Política Regional. Esta novedad se debe a la aceptación de las fronteras marítimas como tales. No obstante, el establecimiento de un criterio de distancia máxima de 150 Km entre fronteras regionales marítimas ha provocado que algunas islas hayan quedado excluidas y no puedan presentar proyectos de cooperación transfronteriza. De la misma manera, hay islas europeas que a pesar de conformar fronteras externas de la UE, han quedado excluidas de la cooperación transfronteriza en el marco de la Política Europea de Vecindad.

Estas limitaciones no tienen en cuenta que el mar es una barrera natural que separa territorios independientemente de la distancia que haya entre ellos. **Este hecho, juntamente con características que las islas comparten con muchas regiones transfronterizas, como la falta de accesibilidad, el aislamiento o el alejamiento de los principales centros económicos, justifica la eliminación de cualquier criterio de distancia para definir una región marítima como transfronteriza o el exceptuar a las regiones insulares de dichas limitaciones.** En su defecto, y en caso de que permanezca algún tipo de limitación, sería más apropiado para la situación de las regiones marítimas e insulares que la condición de territorio transfronterizo sea aplicada a nivel de cuenca marítima.

Conclusiones

Una Política de Cohesión reformada siguiendo estas recomendaciones no será plenamente efectiva para superar las limitaciones derivadas de la insularidad si no forma parte de un marco integrado de políticas comunitarias para los territorios insulares. Este marco ha de servir para cubrir de una manera coherente todos aquellos problemas a los que se enfrentan las islas, evitando posibles efectos nefastos o contradictorios entre políticas. Los ámbitos que se deberían incluir en este marco integrado son:

- el transporte,
- la educación y la ocupación,
- la investigación, el desarrollo tecnológico y la innovación
- la competencia y la política industrial,
- el medio ambiente, la energía y el agua,
- la agricultura y la pesca,
- la sanidad,
- inmigración,
- cultura.

Cualquier medida o iniciativa comunitaria en estos ámbitos debería ir precedida de evaluaciones de impacto para los territorios insulares, para permitir una mayor adaptación de las medidas y políticas comunitarias a las condiciones de un solo territorio o a las compartidas por varios de ellos.

CRITICAL ANALYSIS
of the European Commission (DG Regio) Working Paper on
Territories with Specific Geographical Features (02/2009)

“There are two ways of obtaining an average temperature of 37.2°C. You can either take your temperature with a thermometer or you can put your head in the oven and feet in the freezer and then ask a statistician where the 37.2° midpoint is.”

INTRODUCTION

Whatever reservations one might have about the working paper published by the European Commission's DG Regio devoted to statistical data on **territories with specific geographical features**, or whatever criticisms one might have, the mere fact that it exists should be considered in a positive light. Until relatively recently, there were considerable gaps in EU statistical analysis, particularly regarding territories described as having "specific features", whose specific circumstances have long been purely and simply ignored.

To illustrate this situation, which goes back a long way, we will refer to the resolution adopted by island regional authorities in 1989 at the annual conference of the CPMR Islands Commission in the Azores [see Appendix 1]. This noted that even the situation of relatively large regions, such as the French overseas departments (the "DOM"), Madeira, the Azores and several Greek islands, was "little or even not at all" mentioned in statistical data published by the EU. So praise is due for the extensive work done over the last 20 years by Eurostat,¹ and sometimes also by DG Regio,² and occasionally the island regions themselves,³ to which the Working Paper on **Territories with Specific Geographical Features** seems to be the latest addition.

Which territories are they?

The remit of this study seems to have been determined by the terms of Article 174 of the Consolidated Treaty as drafted for the Lisbon Treaty [see Appendix 2]. This stipulates that, with regard to action for disadvantaged regions, "*particular attention shall be paid to ... regions which suffer from severe and permanent natural or demographic handicaps such as the northernmost regions with very low population density and island, cross-border and mountain regions.*"

There are two ambiguous points here. Firstly, the text of Article 174, which seems to have been drafted rather hastily, has, for politically expedient reasons, included border regions in the list of regions suffering "*severe and permanent natural demographic handicaps*", even though borders are evidently created as a result of human intervention and not brought about by nature.⁴ The distinction is important, because, while humans can rapidly remove a border and in the end eliminate its effects, it is, except in rare cases, totally impossible to flatten a mountain or join an island to the continent. Without seeking to deny the existence of specific problems in border regions, the phenomenon cannot be described as being "*severe and permanent*" in the same way as insularity, mountain environments, and even desertification due to extreme climate conditions.

Secondly, Article 174 of the Treaty very clearly uses the expression "*severe and permanent natural or demographic handicaps*", which is totally unambiguous (even though its applicability to all situations could be contested). This terminology is still completely absent from the Commission's working paper, which has nevertheless been produced in accordance with the provisions of this the Treaty (though it had not been ratified at that stage). The study just refers to "*specific geographical features*" and carefully avoids talking about any sort of "handicaps", thus suggesting a desire to reduce the scope of the provisions of Article 174 as much as possible.

This remark is even more relevant to the case of the outermost regions, which are curiously included in the scope of this study though, since the Treaty of Amsterdam, those regions have their own Treaty article, due to the specific complexity of their situations which cannot be equated to mere "particular characteristics". Their classification in a document focusing on territories with "particular characteristics" is meaningless, and conflicting with the spirit of the Lisbon Treaty which confirmed the differences of these territories with the outermost regions through dedicating separate articles to them. The part focusing on the outermost regions in this working document of the Commission is thus beside the point, and the references to the outermost regions in this paper are there only to "caricature" the results of the methodology used by the authors of the document.

¹ For example, the publication of the book "Portrait of the Islands" in 1994.

² The funding of a series of statistical studies on the situation of island, outermost and mountain regions in 2003. Various studies are also underway in the framework of ESPON.

³ Among other things, the work of the Eurisles Network, with the support of various national and regional statistical offices, in the Recite Programme. See also the paper "Off the Coast of Europe" produced by the CPMR Islands Commission.

⁴ Although the two factors may mutually strengthen each other, in cases where a strip of sea or mountain range marks the separation between the territories of two or more states.

We can now deal with the main content of the paper by setting out two types of criticism:

- 1) The analysis of specific territories⁵ is limited by persistent gaps in EU statistical analysis.
- 2) The analysis is not based on the objective reality of the territories examined, but has been conducted from the point of view of current EU legislation.

We shall examine the exact scope and utility of this working paper, and the way it might influence the preparation of future EU policies, particularly future cohesion policy.

1º) ANALYSIS OF SPECIFIC TERRITORIES IS LIMITED BY PERSISTENT GAPS IN EU STATISTICAL ANALYSIS

Faced with the limits of the EU statistical system, the working paper has adopted an approach based on the highest common denominator, namely the NUTS III statistical level. Although this is clearly a pragmatic approach, it is also very simplistic.

We should remember that for a very long time it was extremely difficult to obtain statistical data on territories described as “specific”, even at NUTS II level. Furthermore, the fact that some figures are now available at NUTS III level undeniably constitutes a step forward. It is easy to understand the technical reasons that led the author of the paper to use this level of the nomenclature, because much economic and social data would have no longer been available at a more detailed level. It was therefore necessary to strike a satisfactory compromise between the need to come down to a statistical level that “fitted” territories as best as possible, and the need to find comparable data at EU level, and even quite simply to find any data at all.

There is an inherent contradiction in the NUTS definition. On one hand, EU statistical analysis cannot increase the number of statistical territorial units *ad infinitum*, and it thus requires that they have a minimal size (between 150,000 and 800,000 inhabitants for NUTS III level). On the other hand, territories’ specific geographical, historical or administrative characteristics are unrelated to maximum levels of population.⁶ This contradiction can only be resolved politically and it is furthermore significant that in 2003, under pressure from the European Parliament, EU legislation on statistical classifications finally included a reference to the specific situation of islands and outermost regions.⁷

In the specific case of the Commission’s working paper, the decision to use NUTS III level is understandable because of the lack of immediately available alternatives. This has nonetheless generated a whole range of problems, for example:

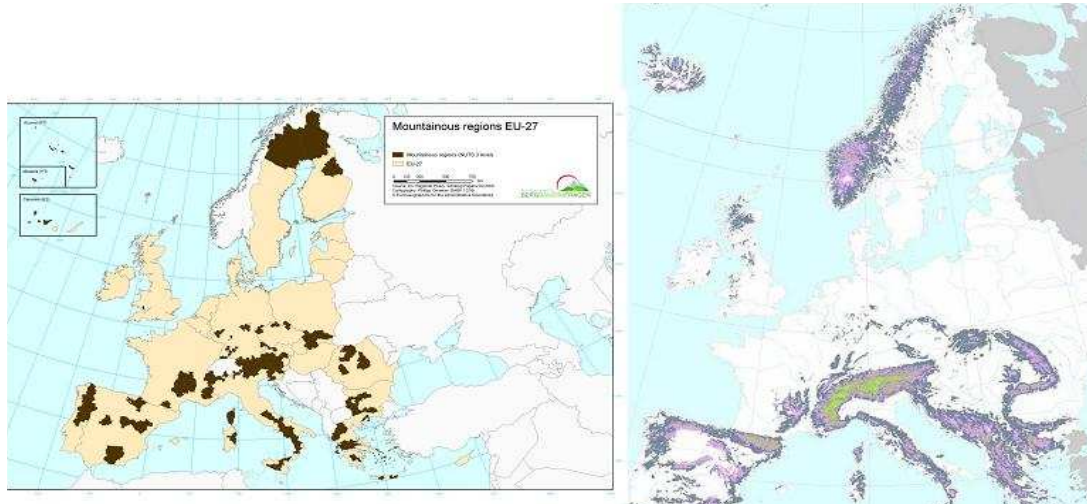
- The paper uses the NUTS III level as the unit of reference, and attributes a given geographical feature to it only if it is of a dominant nature (for example, over 50% of the population must live in mountain areas if it is to be classified as mountainous, the entirety of the statistical unit must be insular if it be classified as an island, etc.). Even though this is a rational method, it still eliminates several territories which are undeniably mountainous or insular, just because they are incorporated within a wider NUTS III region.

⁵ To adopt, with the reservations mentioned, the expression used by the Commission.

⁶ An example is the Åland Islands, an autonomous region in Finland, whose status is guaranteed by an international agreement. Because of their autonomy, the islands are classified as a fully-fledged NUTS II region, even though they only have a population of about 25,000. Åland thus inevitably has one of the highest per capita GDPs in the EU, which is baffling, as this sort of indicator is normally used for assessing a country’s productivity, and there is a high risk of distortion when it is applied at such a small scale.

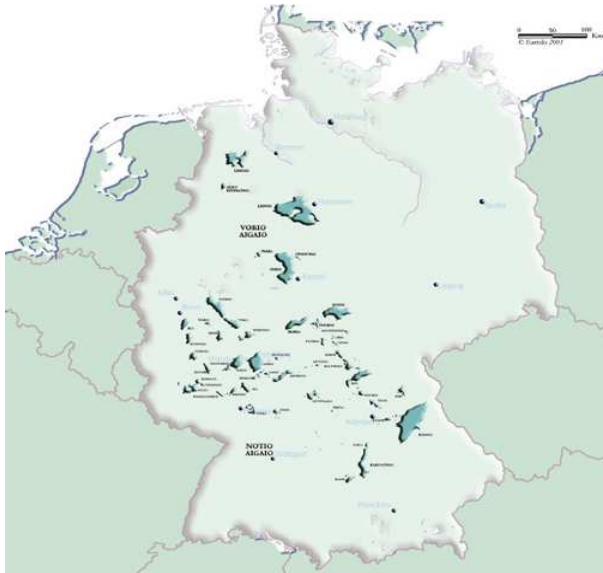
⁷ Regulation (EC) No [1059/2003](#) of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS), Article 3(2): “In accordance with the regulatory procedure referred to in Article 7(2), individual non-administrative units may however deviate from these thresholds because of particular geographical, socio-economic, historical, cultural or environmental circumstances, especially in the islands and the outermost regions.”

- The repercussions of the methodology used are particularly spectacular for mountain areas. The exclusion of all NUTS III areas with less than 50% of their population living in an area considered as being topographically mountainous purely and simply eliminates a substantial proportion of European mountain ranges. A glance at the map of NUTS III areas considered as being mountainous according to these criteria shows, for example, that much of the Alps, the Abruzzo mountains, or the Pyrenees have quite simply disappeared. For a more detailed analysis on the issue of mountain territories, please refer to the **note** (see appendix) **focusing on these territories, drawn up by AEM (European Association of Elected Representatives from Mountain Regions) and validated by Euromontana.** [Voir Appendix 3].



ON THE LEFT: Nuts III « mountainous areas » as defined in the commission’s working paper.
ON THE RIGHT: European mountainous areas as viewed by a UN (Unep) Map.

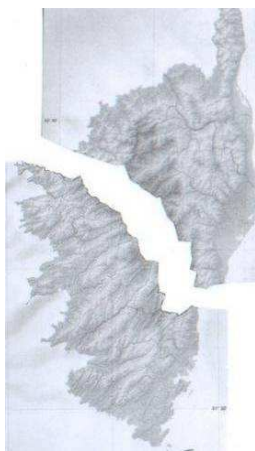
- Similarly, regarding islands, several thousand coastal islands off Sweden, Finland, Estonia, Denmark, Holland, Scotland, Ireland, Brittany, Italy and Greece and so on have thus been eliminated. All these islands are evidently part of the continental NUTS III areas and no longer appear. Their overall population is of course very small at national and EU level, but these people are no less affected by the constraints of insularity, which are exacerbated by the micro-insularity phenomenon.
- In the same vein, regarding archipelagos, individual islands have been eliminated (except in the case of the biggest archipelagos, such as the Canaries or the Balearic Islands). However, the issue of “double insularity” in archipelagos should not be dismissed. This is clearly an aggravating factor in terms of communication, access to services and market size.



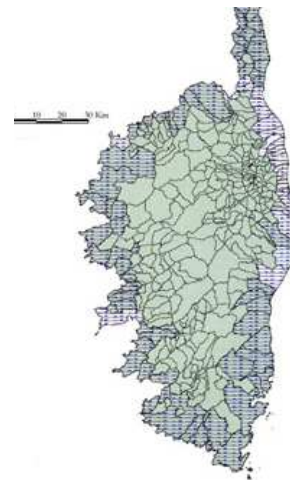
ARCHIPELAGIC REALITY:

The Aegean Islands (5 NUTS III areas), with less than 500,000 inhabitants, cover an area similar to than of Germany from North to South, with its 80 million people.

- Paradoxically, the use of the NUTS III level leads to an artificial increase in the number of islands making up homogenous groupings. The paper thus shows that there are 56 island regions in Europe (in fact 56 NUTS III areas located in islands) while in fact the EU only has 24 island regional authorities and three island states. To cite just one example, Corsica, which is subdivided into two NUTS III areas (Haute-Corse and Corse du Sud), is thus “deconstructed” into two islands, irrespective of the geographical reality. In the case of this region, it would no doubt have been more appropriate to adopt a territorial approach that differentiates the largely deserted mountain area in the island’s interior from the coast, where the main cities and the majority of the population and economic activities are located.



Corsica is artificially deconstructed into two NUTSIII areas



The reality of Corsica: a mountainous island, will costal and mountainous municipalities.

These examples clearly demonstrate that the NUTS classification as it is currently used is a very imperfect and even unsatisfactory tool for understanding the situation of these territories.

Furthermore, one of the apparent objectives of this study was to undertake a cross-analysis of the impact of diverse geographical characteristics (for example the situation of mountain areas or sparsely-populated mountain areas, etc.), but the result is most disappointing because of the absence of a more detailed and better adapted statistical level of analysis. It is ultimately difficult to assess the combined or intensified influences of several geographical characteristics when a substantial part of the territories is not taken into consideration or cannot be distinguished from the outset.

More broadly, we will also examine the utility of undertaking comparisons, and above all of determining statistical averages, by including in the same category territories which may share a particular characteristic but are

otherwise totally different and unrelated. For example, what is the point of asserting that the population of territories with a low population density has slightly increased when this is based on the average between Amazonian Guyana (where the population is growing) and Lapland (where the number of inhabitants is on the decrease). A superficial analysis of this average might lead one to conclude that the situation of territories with a low population density is improving, whereas both Guyana and northern Scandinavia are facing difficulties that require very different remedies.

2º) THE ANALYSIS IS NOT BASED ON THE OBJECTIVE REALITY OF THE TERRITORIES EXAMINED BUT HAS BEEN CONDUCTED FROM THE POINT OF VIEW OF CURRENT EU LEGISLATION.

We have seen that the use of the NUTS III level has automatically removed a large proportion of mountain areas, all coastal islands and the majority of individual archipelago islands from the analysis of territories with specific geographical features. Perhaps this is justifiable because no better instruments existed and necessity determined the rules. However, this argument can scarcely be used in other aspects of study, where the definitions selected are not founded on the real situation of these territories, but on certain provisions within EU policies.

This is the case for border regions defined as NUTS III areas which are eligible for cross-border cooperation programmes under the ERDF Regulation. This corresponds to all of the Union's internal land borders and some of its external borders. For maritime borders, only regions where the border is less than 150km away are taken into account. Regions neighbouring EFTA member countries or those covered by the ENPI and IPA instruments are also concerned.

The result is rather extraordinary, and some of the most spectacular examples are cited below. In the Mediterranean, the application of this rule means that archipelagos such as the Balearic Islands are not considered as either internal or external EU borders or even maritime borders (the same applies to the Palermo area in Sicily) ... which will certainly surprise anybody who has even a basic knowledge of the history and geography of the Mediterranean area. In the north of Europe, the same thing applies to the Orkneys, Shetland and Outer Hebrides archipelagos, which would certainly have surprised the Vikings, who used these islands in their conquest of the Atlantic and Europe's western fringe from as early as the ninth century.

The case of the outermost regions is even more extraordinary. While the Commission's working paper concedes that Fuerteventura, Gran Canaria and Lanzarote in the Canary Islands are clearly EU external borders, they are the only outermost regions to be given this privilege, presumably due to the Sahara sand storms that reach their shores. However, this classification does not apply to the rest of the archipelago, or to Madeira and the Azores, which can no doubt put the fact that they are not borders at all, even maritime borders (something of which King Henry the Navigator of Portugal was clearly unaware), down to their noteworthy isolation in the middle of the Atlantic. The top prize goes to the French overseas regions, because none of the DOMs (the island of La Réunion in the middle of the Indian Ocean or Guyana between Brazil and Surinam) are considered as EU external borders, whereas they are all quite extraordinarily labelled as being "internal borders" (but might this just be a word-processing error?).⁸

Such bizarre statements make it easy to lampoon the paper. They nevertheless raise an extremely serious problem: can one accept that territorial realities are assessed by the yardstick of provisions drawn from EU regulations, even though this results in manifestly false assertions? Would it not be better, yet again, to use more suitable definitions or criteria?

This intention is clearly present in the working paper, and it should be emphasised that a positive effort is made to grasp the nature and intensity of certain territorial features that are very characteristic of the territories studied, such as their environment and degree of accessibility. Not having the methodology or data that have been used to draw up such indicators, we will refrain from criticising them here. Nevertheless, one might ask whether these indicators have really taken local realities into account? Is it understood that it is difficult to measure the accessibility of a service just using the distance in kilometres? A mountain road is not same thing as a motorway on the plain, and leaving minor islands to go to hospital, a university or an airport can be much more time-consuming

⁸ Although this assertion can nevertheless be fairly (and probably unintentionally) made in the case of the island of Saint Martin in the Guadeloupe archipelago, which has a French zone and a Dutch zone.

and difficult than just crossing a bridge. While it is true that the indicators used refer to a time “over” 30, 60 or 90 minutes, for some territories the difference can be measured in several hours and even days.

This caution is justified by the fact that most studies on the accessibility of territories take little or no account of the impact of insularity: the total absence of road and rail links, the overdependence on air transport, and the prevalence of maritime transport which operates in conditions that can in no way be compared to road transport (in terms of frequency, waiting times for loading and unloading, etc). In the case of outermost regions, air transport is essential, especially for passenger transport outside the region. In such a context, a comparison based for example on a weighted index combining road, rail and air traffic data serves no purpose.



APPARENT AND REAL DISTANCES:

Statistical indicators must reflect the fact that distance in kilometres is not akin to remoteness. This map reflects the real crossing time to a selection of islands (waiting time, loading and unloading, navigation...) and reposition them in relation to a symbolic point located in the EU centre (here, Maastricht).

CONCLUSIONS:

THE NEED FOR A TERRITORIAL APPROACH TO TERRITORIAL ISSUES, AND A SPECIFIC APPROACH FOR TERRITORIES WITH SPECIFIC FEATURES

The Commission’s working paper concludes that:

“The main implication of such observations is that the categories of specific territories are far from constituting homogenous groups of regions. Moreover, for regions facing difficulties, the disadvantage syndrome is generally made up of several types of constraints which are not systematically the same within a given category of territory. It follows that it is difficult to use such categories as a reference for setting up specific regional development programmes. In fact, such an approach is likely to be ineffective. The wide range of differing situations and performances within each category instead calls for a case by case approach where policy interventions are specific to the local context rather than to a given type of territory.”

Firstly, there was absolutely no need for a study just to learn that there are extremely varied situations in given categories of territories: Guyana is not Lapland, Ushant is not Sicily, and the hills of the Highlands are not the high peaks of the Alps, and so on. However, is the purpose to establish balanced classifications of homogenous groups needing standard policies? Or is it not, on the contrary, to acknowledge the diversity of European territories, including in its extremes, and to understand the need for a flexible approach on this issue within EU policies.

The paper’s conclusions are correct when they state the need for a “case by case” approach, but they are extremely contentious when they deny the utility of specific development programmes. But perhaps an effort should be made

to avoid interpreting the term “specific development programme”, which is used in a negative manner in this paper, as the implementation of a single and same policy for all specific territories, or each category of specific territories. This would effectively mean denying the diversity of their problems and thus prevent the development of appropriate solutions.

So it would no doubt be best to replace the term “specific development programme” with “specific framework”, in other words the creation of a framework (legal, political, financial) permitting EU policies to intervene in these territories with all the flexibility they need in order to respond on a case by case basis to their strengths and difficulties and enable them to exploit their opportunities in the best way possible.

This approach can evidently not be used independently from the principle of proportionality, and the key question in the debate on territorial cohesion, and more specifically in the approach to be adopted for “specific” territories is: how far can one go when implementing the principle of flexibility? Up to what point can derogations be made? The answer to these questions is fundamentally political, but it must be based on certain criteria. Which ones? This is where the nature and degree of detail of the indicators used for assessing specific territorial features become very important.

The Commission’s working paper shows that, even in a document on territories with specific geographical features, the use of genuinely territorial indicators such as accessibility or the environment is rare. Yet again, emphasis is given to analysis using traditional indicators such as per capita GDP or unemployment levels, which are respectively in the economic and social field. Paradoxically, the implementation of territorial cohesion, which is newcomer to EU policies in comparison to economic cohesion and social cohesion, must continue to use the same indicators, rather than develop its own evaluation criteria. It is scarcely surprising that people start talking at cross purposes: some people talk about accessibility and vulnerability, while others respond by talking about unemployment and GDP.

All this suggests the need for a complete overhaul of the way the situation of these territories is dealt with.

Is it at all costs necessary to seek to compare their situation to that of the rest of the EU if, in doing so, we have to use instruments which ignore or distort their realities.

Now the Treaty acknowledges the existence of “territories with specific features” (not to mention “territories with severe and permanent natural demographic handicaps”, as well as the outermost regions), should the statistical system not itself be adapted to them, or at least permit different approaches?

So, instead of having a European comparison that is of limited use because it is based on simplified indicators or frameworks, should priority not be given to an approach based on specific indicators and on functional areas?

The questions raised here are clearly of the greatest importance for territories with the most pronounced specific geographical or demographic features, and, as Article 174 of the Treaty recommends, they should be given “specific attention”. However this in no way excludes the adoption of the same sort of approach for other EU territories, such as peripheral or coastal areas for example.

APPENDIX 1

Resolution adopted unanimously by the Annual Conference of the CPMR Islands Commission, held in the Azores on 19 May 1989

ON THE RECKONING OF THE ISLANDS DIMENSION BY COMMUNITY STATISTICS

Being aware of the importance of statistical data in the framing of Community policies, the island regions of the EEC wish to express their concern about the existing statistical approach to their problems.

1°) They are, firstly, concerned that, for one reason or another, many of them are either little or even not at all mentioned in statistics published by the Community. Such is the case with the French D.O.M., Madeira, the Azores, the Scottish archipelagos or numerous Greek islands. Such is the case, even more so, with the smaller coastal island communities because there often accurate difficulties are hidden by their integration to neighbouring mainland units.

Such a situation is prejudicial to the individual situation of the European islands, but is also detrimental to the efforts, which are being undertaken to achieve a global understanding of the situation of the islands, and of their capacity to integrate in the Single European Market.

Consequently, the European Island regions ask the EEC Commission to extend, as soon as possible, its publication of statistical data to all the aforementioned regions.

2°) Moreover, the island regional authorities notice that when data is published, it reflects often poorly their special position within the Community

- either because data which has been processed at national or at Community level becomes - through unavoidable technical readjustments - too imprecise to describe their true condition without distorting it;
- or because the statistical measurements which could illustrate their unique socioeconomic situations have not been created, or not been used.

Consequently, the island regions wish to ask the Commission's appropriate services and Statistic National Institutes to collaborate with them on the following programme:

- to study the means of improving Community, National and Regional Statistics on Island Regions;
- to study which specific statistical measurements would enable a satisfactory understanding of the islands socio-economic conditions, and allow a following of their evolution;
- to set up a specific statistical programme which shows the priority action fields and the necessary resources.

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APPENDIX 2

Article 174
(ex Article 158 TEC)

In order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion.

In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions.

Among the regions concerned, particular attention shall be paid to rural areas, areas affected by industrial transition, and regions which suffer from severe and permanent natural or demographic handicaps such as the northernmost regions with very low population density and island, cross-border and mountain regions.

APPENDIX 3

THE SITUATION OF MOUNTAIN TERRITORIES

AEM's Contribution

CRITICAL ANALYSIS

on the Working Paper of the European Commission (DG Regio) on Territories with Specific Geographical Features (02/2009)

Is the choice of the NUTS 3 level relevant?

Regarding mountain regions, the matter of delimitation is not a relevant problem. There are more appropriate paths which can contribute to adoption of a more adequate and comprehensive scheme. Instead of using the NUTS 3 level, as it is done in the Working paper, AEM suggests to use the NUTS 5 level to consider mountain regions. DG Regio could also refer to other EU related papers and develop a more appropriate model. Concretely, we can propose three of them:

- Since the Directive 75/ 268, an **upland zoning** has been used to consider less favored areas , in the framework of the Common Agricultural Policy (CAP). More precisely, this zoning was designed to determinate eligible zones for Compensatory Allowances for Natural Handicaps (CANH), according to the transposition of the directive into the French law.

This measure is currently being reformed (in the framework of the Rural Development Policy 2007 - 2013). It reinforces a strict delimitation of mountain territories. According to this framework, a major part of EU Member States (or Regional Authorities) could define their mountain orientated public policies.

The zoning has been based on geo topographical indicators (slope and altitude) and leans on two main classification levels: NUTS 5 level (municipalities) and "agricultural field" level. This classification exists in all Member State.

- Moreover, DG Regio has asked the Nordregio Institute for a study on mountain areas in Europe, in January 2004 (appendix 1 of the working paper in the "topographic definition" section). Several positive and negative regards of the Nordregio study have largely been discussed, especially the overemphasis on the climatic criteria regarding the topographical indicators. However, **it is important to underline that this study provided a list of mountain municipalities (NUTS 5) according to this large delimitation.** (because of the emphasis on the climatic criteria recommended by DG Regio, the study defined sparsely populated Scandinavian territories as mountain regions).

Nordregio's study help us to understand better realities of mountain ranges (massifs)and their diversity.

- Finally, the European Environment Agency (EEA) is prepares a study on land use in mountain regions⁹. It is supposed to deliver additional information on the territory's reality. There are other similar on-going studies, including ESPON's study on territorial diversity.

These three leads demonstrate how the mountain classification proposed by the working paper is problematic and paradoxical. The attempt of DG Regio to provide a general delimitation makes disappear specificities of each mountain region which are so important in order to achieve the "territorial cohesion objective". This "special delimitation " of mountain territories has an even worse collateral damage: it erases a half of EU mountain regions! The leads previously listed prove that **the European Commission has already existing tools far more adequate than the one used in the Working paper.**

Moreover, previous leads are based on more local statistic indicators, notably using the NUTS 5 level.

⁹ 'Integrated assessment of Europe's mountain areas', EEA, to be delivered in June 2010.

Certainly, it was necessary to find a balance between an appropriate statistic level, well adapted to territories, and to find similar features at European level. Nevertheless, it is necessary to have precise geographical information and indicators at European level. In fact, this is a real weakness of European institutions: DG Regio should consider that the topography of European mountains and islands have not been significantly modified since 2004. As a consequence, 2003 and 2004 previously quoted study is still highly relevant in today's debate, at a geographical level.

A paradoxal use of non relevant criteria to define political attention

Additionally to the debate on indicators (NUTS 3 or NUTS 5), the Working paper introduces a demographical criteria (social cohesion) which is arbitrary and questionable. It blurs any attempt of coherent and operational reading. **This mix of demographical and geographical indicators is particularly irrelevant when it comes to identify the specific stakes regarding EU mountain regions.**

The omission of NUTS 3 entities with less than 50% of the population living in the area topographically considered as mountainous simply makes disappear a substantial part of EU mountain massifs. **A quick look at "NUTS 3 mountain areas" map shows that an important part of Alps, Abruzzos, Carpathians, Greece, Massif Central, Cantabrian Mountains, and Pyrenees simply disappears!**

Mountain habitants often move to close valleys or piedmont, in order to benefit from industries and particular know how developed in mountains, to access to commercial intersections or to benefit from transport connections. This concentration develops larger agglomerations and then makes disappear the mountain area from the classification! Even if mountain characteristics have a strong influence on their organization, economic activity, culture or environment.

This analysis also works for every NUTS 3 entity which has been developed in valleys (what is historically the case in several mountain ranges).

To sum up, there is a high amount of specific cases for which the classification proposed by the working paper does not fit. This proves a notable incoherence that would eventually lead to irrelevant public policies, since an important part of the EU specific territories would not be considered as such.

By ignoring an important part of the EU mountain regions, some of them have to face a **double negative effect**. **Mountain habitants that have most suffered from isolation and moved to piedmont or valleys are then not considered as being a part of mountain region anymore!**

A necessary adoption of new criteria: towards a "mountain massif" policy

Besides the proposition of irrelevant indicators, the Working paper fails to consider mountain territories properly by trying to consider them the same way as previous EU programs or European policies did. By doing so, **the DG Regio disregards important territorial links between mountain territories.**

More than 50% of border areas are mountain areas as well. We should not forget that during the last 150 years, European borders have notably changed and that European cooperation programs aim to blur the border effect and to consolidate the transnational character of territories. Therefore, **it is imperative to consider the strong organic links that shapes mountain territories.** Instead of considering them with inadequate indicators, the European Commission should privilege a specific approach based on topographic indicators in order to define better "territory- orientated" policies. The European Commission should also take into account macro-regional or intraregional cooperation.

Regarding mountain territories, AEM proposes an innovative European approach which is inspired by the French legislation and its "Mountain Law"(1985): **The "mountain massif" policy.** This law argues that *"mountain zone and its contiguous zones form a single geographical and economical entity, which constitutes a massif"*.

Such a perception is far more coherent and suitable. Mountain territories are not only *stricto sensu* mountain areas. There are fully linked to valleys and piedmont, especially on economic and administrative level. The "massif approach" offers a much more **subtle perception of the territorial cohesion in mountain regions.** By doing so, it is far more adequate than the classification adopted by DG Regio's Working paper.

Mountain territories should not be considered apart from their natural and historical reality. A “massif territory” includes the links gathering both urban and rural dimensions, natural and zones, valleys and mountain, piedmont and massif.

AEM recommends the DG Regio to adopt a more locally - based classification (NUTS 5) to delimit European mountain regions. If valleys are historically, economically and naturally linked to piedmont and to their contiguous plains, all of them form a coherent territory (a “massif”) that must be listed as a single mountain territory in order to benefit from a coherent and adapted financial and legislative framework.

For example in Alps, we count 60 million habitants, if we consider valleys, towns and metropolitan areas, but it is reduced only to 15 to 20 million habitants following the Working paper. In this case, we can't develop a macro-regional approach (i.e. macro regional strategy for the Alpine region). As a result, the alpine case is a perfect example to illustrate the debate on the appropriate level to use in European territories-orientated policies.

Conclusion:

According to our analysis, the classification adopted by the DG Regio Working paper turns out to be strongly inadequate for mountain territories. This analysis proposes more relevant leads and puts in the European Commission's hands all the necessary tools in favor of innovative mountain - oriented territorial cohesion policy. Such an innovative policy would definitely be a new and major step towards territorial cohesion, based on multilevel governance principles.



Anexo 3

CPMR ISLANDS COMMISSION WORKSHOP ON TRANSPORT

18/19 February 2010

BORNHOLM, DANEMARK

CONCLUSIONS & RECOMMENDATIONS

Introduction

Organised jointly by Bornholm Regionskommune and by the CPMR Islands Commission, the workshop on island transport held in Bornholm on the 18/19 February 2010 has gathered representatives from 12 island regions¹⁰, 3 national authorities¹¹, various organisations and shipping operators¹² as well as the European Commission DG TREN.

Apart from a presentation of the recent evolution of air transport legislation, the workshop essentially focused on maritime transport issues, and in particular on the Commission's 5th Report on Maritime Cabotage. The situation of various island regarding maritime services was highlighted by presentations from the Azores, Balearic Islands, Corsica, Sardinia, Sweden and Scotland.

EU maritime cabotage legislation: an example of governance for the islands?

The EU's unofficial motto is "Unity in Diversity", and this expression seems to be tailor made to describe the condition of islands in general, and of island transport in particular.

Indeed, EU Islands present an extreme variety of situations when it come to the latter, ranging from access to small inshore islands, a few miles distant, to maritime routes to the Outermost Regions crossing a whole Ocean. The same diversity applies to the size of population serviced, the local weather conditions, the nature of traffic flows, etc.

As may be expected, transport problems vary in nature and in magnitude from one island to another, and even from one route to another, and so does the way they are dealt with, and the solutions which are found.

Thus, whilst the Balearics will complain of the insufficient level of competition, if not the existence of quasi-monopolies on some routes, Corsica will highlight some of the adverse effects of strong competition for the public purse. Bornholm will describe how the reshaping of its maritime services has led to the loss of 300 jobs, when the UK will highlight the safeguard measures existing in case of transfer of undertakings. Sardinia will explain that its strategy rests upon joint public/private partnerships, when Sweden will favour separate tendering for the provision of vessels and the provision of services...

¹⁰ Gotland, Bornholm, Saaremaa, Shetland, Comhairle nan Eilean Siar, Argyll & Bute, Azores, Balearics, Sardinia, Corse, Guadeloupe, Martinique.

¹¹ Denmark, Sweden, Ireland.

¹² INSULEUR, Nordic Ferry Services, Caledonian MacBraynes.

As to who should oversee maritime services, solutions are equally diverse. For some, ferry services should be under the remit of national authorities, for others under regional ones. However, there are cases where one level of government wishes to take over more responsibilities, others where it does not, and cases where the matter is still being hotly debated.

Against this near infinite variety of situations lies the EU's "Council Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage)", of which roughly 300 words deal with the specific issue of Islands Cabotage, essentially to enable the imposition of Public Service Obligations (PSOs) or Public Service Contracts (PSCs) on island routes.

It is quite remarkable that this very succinct framework has, to this day, worked reasonably well to address such complex, diverse, and case-by-case issues as the provision of maritime services to island communities¹³. This is undoubtedly due to the fact that the Regulation has been applied with a certain degree of pragmatism and flexibility by the European Commission, and that whilst the body of the Regulation itself has remained unchanged, it has nevertheless evolved through a succession of Interpretative Guidelines or Communications¹⁴, not to mention the influence exerted by a number of rulings from the European Court of Justice.

By setting-up a broad framework of derogation, with sufficient leeway to adapt to local situations, the Maritime Cabotage legislation may be considered as an example on how EU law and policies can be adapted to island conditions while abiding by the fundamental goals laid out in the Treaty. It is a noteworthy illustration of the type of practice which should be followed in the field of European governance and, in particular, in the way territorial specificities should be dealt with. Similar mechanisms should be applied in other fields of EU policy which are of key interest to islands, or to territories beset by permanent and severe geographic and demographic constraints, as defined by Article 174 of the Treaty.

Of course, having praised this legislative framework does not mean that the Cabotage Regulation, or more generally that EU legislation on maritime transport, are above criticism, or that there is no need for further adaptations or improvements. On the basis of the discussion which took place in Bornholm in February 2010, the Islands Commission of the CPMR would henceforth wish to make the following recommendations.

i) ANAV Ruling

The European Commission has confirmed the applicability to island cabotage services of the ANAV Ruling (Case C-410/04 Judgment of the Court (First Chamber) 6 April 2006; i.e.:

"Articles 43 EC, 49 EC and 86 EC, and the principles of equal treatment, non-discrimination on grounds of nationality and transparency do not preclude national legislation which allows a public authority to award a contract for the provision of a public service directly to a company of which it wholly owns the share capital, provided that the public authority exercises over that company control comparable to that exercised over its own departments and that that company carries out the essential part of its activities with the controlling authority."

It is understood that tendering may not be required if the aforesaid conditions are met. However, a degree of uncertainty exists about the full implications of ANAV Ruling (e.g.: is it applicable to the provision of services at national, regional or local levels?).

It would be useful if precisions about the impact and applicability of the ANAV Ruling were provided in a future Communication by the Commission.

¹³ The EU has two small island states (Malta and Cyprus), 24 island regions, and literally thousands of small inshore islands.

¹⁴ Communication on the interpretation of Council Regulation (EEC) No 3577/92, Brussels, 22.12.2003, COM(2003) 595 final; Community guidelines on state aid to maritime transport, 17.1.2004, Commission Communication C(2004) 43 (2004/C 13/03); Communication updating and rectifying the Communication on the interpretation of Council Regulation(EEC) No 3577/92, Brussels, 11.5.2006, COM(2006) 196 final.

ii) Maximum contract period for PSC

The issue of the maximum duration of a PSC raises conflicting views with, on one hand, the need to foster competition, and, on the other hand, the necessity for operators to be guaranteed a sufficiently long period of stability. The prevailing view seems to be that the present 6 year limit is somewhat too short, considering the time required for the depreciation of a vessel, the variations of the second-hand market for ships, as well as miscellaneous uncertainties (evolution of fuel prices, of capacity requirements, of environmental legislation or of technologies, etc).

As a consequence, the Islands Commission would like to recommend that the possibility of applying longer maximum contract durations, of up to 12 years, be accepted by the Commission, if it can be demonstrated that shorter maximum durations are a hindrance to efficient tendering, considering the characteristics of a route and of its economy.

iii) Simplified procedure

The EU islands would welcome effort by the European Commission to simplify the tendering procedure which is considered as both lengthy and expensive, especially for the smaller island routes.

In that respect, the possibility for small island routes (<300,000 pax/y) to apply a simplified procedure with simple calls for expression of interest should be reconsidered:

- to take into account the implications of seasonality when the yearly traffic figures are distorted by the high volume of passengers during a relatively short tourist season, whereas traffic remains relatively low during the rest of the year,
- to avoid duplication of counting when an island is a transit island to other islands, and traffic figures are accumulated on that island.

One solution could be to increase the 300,000 pax/y threshold. Another one would be to accept as complementary criteria the level of permanent population of an island, so as to enable the smaller islands to apply this simplified procedure.

iv) Public service on an international route

Most of the European islands are, by nature, border regions, and would benefit greatly from the development of regular services to other member states or to third countries (the latter point being of special importance in the case of the outermost regions). However, the economic viability of such services is often uncertain, or at least a long-term affair, which raises the need for the imposition of PSO or the conclusion of PSC.

This point has, to a certain extent, been taken on board by EU maritime legislation, which has (in the Commission Communication C(2004)43, article 9) accepted that PSO or PSC would be acceptable on an international transport service if there was an “imperative need”. However, the term “imperative need” has not been clearly defined so far.

Considering that the EU is presently endeavouring to develop the Motorways of the Sea, and that one of the goals of the MoS is “to improve access to peripheral and island regions and states”, it seems logical that the possibility to apply either a PSO or a PSC on an international service serving an island be broadened.

This could be achieved:

- either by deleting the expression “imperative need”;
- or by defining a service answering an “imperative need” as one which would:
 - a) allow an island to take advantage of its geographic proximity to another member state or third country;
 - b) contribute towards integrating an island or archipelago into the Motorways of the Sea;
 - c) help to meet the specific needs of the outermost regions.

v) EU financial support for international routes servicing islands

Decision No 884/2004/EC of 29 April 2004 amending Decision No 1692/96/CE on the Community guidelines for the development of the trans-European transport network, provides in its Article 5, the possibility for Europe to finance projects of common interest for the trans-European motorways of the sea network. This support is provided through temporary start-up aids, whose duration is limited to two years.

This mechanism should be broadened to provide temporary support for member states wishing to implement PSOs/PSCs on an international service serving an island.

This could be achieved by amending the aforesaid legislation through the following provision:

- [the EU] may also provide financial aid to a member state which, under the terms of Council Regulation (EEC) No 3577/92 on maritime cabotage, has concluded public service contracts or imposed public services obligations on an international route serving one or more of its islands, on condition that the aim of such obligations is to include the islands concerned in a broader network of motorways of the sea. This aid will be granted for a maximum of (X) years with a ceiling of (X)%."

The framework of the Motorways of the Sea legislation should also be extended to cover the situation of the outermost regions.

vi) Use of structural funds

The possibility to use structural funds for the purpose of purchasing vessels servicing islands has sometimes been accepted, sometimes rejected, depending of the programming period.

The main objection regarding the use of structural funds seems to be the risk of distorting competition, should a mobile infrastructure ever be used on a different route, and provide unfair support for an operator.

However, it may be argued such risks are non-existent if the ownership of the vessel remains in public hands, either by dissociating the vessel ownership from the provision of service (which would be open to tendering), or because the service is run by the public authority itself as a concession, under the terms of the ANAV Ruling.

Under such terms, the possibility to use structural funds to purchase vessels so as to provide lifeline services to islands should be explicitly allowed in the framework of the next programming period.

vii) Need for further studies on island cabotage

In spite of their best efforts to share information, the European islands consider that there is a dearth of comparative data on the provision of cabotage services to islands.

This makes it very difficult for public authorities to assess the terms proposed by operators, be it in terms of fares or in terms of subsidy, and to appreciate if they benefit for a reasonable deal considering the state of the market.

It would be very much appreciated if the European Commission could:

- undertake a comparative study on the provision of island cabotage services, whose purpose would be to provide some benchmarking on the average cost of running services according to a typology of situations**
- set up a database providing updated information on the existing PSO and PSC in force in the various EU islands, and providing basic information on the level of public subsidy, on the level of fares, as well as on the characteristics of the route.**