

## RECOMMENDATIONS

for the removal of the barriers to  
child and juvenile border mobility

OMBUDSMAN  
OF **CROSS-BORDER CITIZENSHIP**  
Eurocity Cerveira-Tomiño



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# Cerveira Tomiño

E U R O C I D A D E

The Cerveira-Tomiño Cross-Border Ombudsman has the a function <<to guarantee the defense and the attainment of the rights and particular interests of the residents of Vila Nova de Cerveira (Portugal) and Tomiño (Galicia, Spain) as European cross-border citizens towards the municipal bodies and services of the Municipalities of Vila Nova de Cerveira and Tomiño>>.

The Ombudsman was created in 2017 within the framework of the Strategic Agenda for Cross-Border Cooperation Cerveira Tomiño, co-financed 75% by the INTERREG VA POCTEP call, EU FEDER funds. The initiative is framed in the actions of "dynamization of the strategic agenda" and, specifically, in those aimed at the promotion of cross-border public participation. Since July 1 of that year the key officials are: Galician, Zara Pousa Arbones and the Portuguese, María de Lurdes Guerreiro Pereira Cunha.

According to the Charter that governs its operation, the Ombudsman exercises its functions through complaint, claim or on its own initiative, in relation to facts that in any way or form come to their knowledge and justify their intervention, including, among other things:

- a) Receive complaints, claims and suggestions regarding the cross-border relations between the Municipalities of Vila Nova de Cerveira and Tomiño;
- b) Issue reports, recommendations and suggestions within the scope of their competences, sending them to the Cerveira-Tomiño Strategic Management Committee.

The institution was presented to the public in June 2017 with the presence of the mayors and councilors of Tomiño and Cerveira and the general director of Relations with the European Union of the Xunta de Galicia, Jesús Gamallo, officially started its operations on July 1, 2017.



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In the first eighteen months of action, the Ombudsman have developed an agenda of contacts and meetings with various social entities and a line of dissemination of their functions through the media and the organization of events.

On September 11, 2017, they visited the municipal swimming pool of Vila Nova de Cerveira talking to responsible people and people and asking for a "continuous transport service from Tomiño", lacking in "authorization and regulation" problems. This interview also resulted in positive management for the electronic payment of pool services by Galician users.

On November 8, 2017, they visited the two "nurseries" of the municipality of Cerveira, where there is a good relationship with the people of the region with this service, reflected in a significant rate of use from babies and children from Tomiño. Suppliers had the opportunity to talk with the heads of institutions, educators, mothers and parents.

On December 13, 2017, the workshop "Experiences of participatory democracy and cross-border cooperation" was celebrated in Vila Nova de Cerveira, with assistance, among others, of the Valedora do Pobo de Galicia, in which the experience of the Participatory Cross-Border Budgets was also addressed.

On June 7, 2018, the Ombudsman presented in Tomiño their participation in an international delegation to the ESPON Seminar held in Vigo, organized by the EGTC Galicia-Norte de Portugal.



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At the same time, the new website of the Eurocity includes, from October 2018, a specific section on information about the institution, the foundational Charter and the access procedure <https://eurocidadecerveiratomiño.eu/valedoras>.

In May 2018, in collaboration with the technical team of the project Cooperative Agenda Cross-border Cooperation Cerveira Tomiño, it is decided to organize meetings with the directions of the educational centers of both municipalities. Both in the meeting held with the director of the school grouping of Vila Nova de Cerveira (June 20) and in the celebrated with the director of the Institute Antón Alonso Ríos of Tomiño (July 4) have been addressed the most prominent obstacles to a fluid cross-border relationship or Minor permit regulations for school exchanges between the two states.

Without prejudice to other obstacles to the approximation of populations and to the suppression of the physical and psychological difficulties that involve the borders, it is decided to prioritize the intervention on childhood-youth mobility through the strategic component of cross-border relationships in school age.

**At present, the organization of trips of groups of minors without paternal presence requires the completion of a specific authorization before the authorities. In the case of the Spanish State, by means of a form signed by both parents before the Guardia Civil and, in the Portuguese case, by authorization with validated signature of father, mother or guardian before the notary, with the corresponding financial costs.**

These requirements, generically understood within the framework of relations between sovereign states that aim for an easy protection of children's rights, become an



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# Cerveira + Tomiño

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incomprehensible bureaucratic obstacle to the fluidity of relationships between school populations that share territory, interests and cultural traits within the framework of a supra-state entity such as the European Union and, more specifically, socially related realities such as of Galicia-North of Portugal or of the Eurocity Cerveira Tomiño.



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# Cerveira Tomiño

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The evidence of common historical backgrounds between Galicia and Portugal corresponds with a vigorous social, economic, administrative and commercial relationship. In this context, the establishment of Eurocities is becoming even more important, which, like the one that groups the municipalities of Cerveira and Tomiño, advances towards the approximation of populations separated by mere 200 meters of width of the Miño river by means of:

- shared governance and participation formulas;
- promotion of joint equipment;
- planning and shared management of services and equipment;
- joint dynamism of the local economy;

The existence of these new cross-border local entities facilitates the search for citizen empowerment, with the aim of building euro-citizenship and "social free zones" with greater equality and better quality of life in accordance with the priorities defined in the European framework.

Obviously, the progress of these goals requires strategic initiatives that guarantee their long-term consolidation. Among the possible, few seem more suitable as those involving the joint participation of boys and girls in school age.

On the other hand, in a recent opinion study carried out in the towns of Cerveira and Tomiño, there is a very good assessment of the relationship and cross-border cooperation, highlighting among those priorities the services and activities that have the protagonist of childhood.

(See: <https://eurociudadecerveiratomiño.eu/wp-content/uploads/2018/08/enquisa-servizos.pdf>)



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In fact, this social interest for the approach between the "future" protagonists and those responsible for Eurocity is evident in various fields, such as:

- The exchange of artistic activities among schoolchildren, promoted by the Gallaecia Superior School and Tomiño ANPAs, and winner of the OPT 2018 voting,
- Proposals for services and joint activities for holidays and free time presented by the associations of parents and Galician and Portuguese mothers to the call of the OPT 2019.
- The shared educational project on "Sustainability" promoted by teachers from both sides in the same call.

In view of this reality, the Ombudsman of Cross-Border Citizenship considers it necessary to boost the present Recommendation to search for solutions to the mandatory and sometimes economically burdensome need to complete specific authorizations by parents for cross-border travel of minors, with a view to reducing the limitations that this requirement causes in infant-to-juvenile relations in contexts of cross-border relations.



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## RECOMMENDATIONS

- 1) To study exceptional measures that adapt the authorization requirements for cross-border mobility of minors to new social and administrative realities at the local level within the framework of the European Union.
- 2) To value, in this sense, "cross-border flexibility", considering Eurocides "administrative zones" to certain effects of social interest for its inhabitants.
- 3) To promote, in any case, pilot experiences that allow to evaluate the progress of the effective exercise of social rights and the construction of shared European identities, especially between childhood and adolescence.



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## TO SEND TO

The remission and presentation of this report is recommended before the following entities and institutions:

- Ministry of Foreign Affairs of the Portuguese Republic
- Ministry of Foreign Affairs and Cooperation of the Kingdom of Spain
- Ministry of Internal Administration of the Portuguese Republic
- Ministry of the Interior of the Kingdom of Spain
- Ministry of Education of the Portuguese Republic
- Secretary of State for the Valorisation of the Interior
- Department of Education, University and Professional Training of the Xunta de Galicia
- Ombudsman Portugal
- Ombudsman of Galicia
- Parliamentary groups of the European Parliament
- Galician and Portuguese MEPs
- Committee of the Regions
- SOLVIT Solutions to problems with your EU rights [http://ec.europa.eu/solvit/index\\_en.htm](http://ec.europa.eu/solvit/index_en.htm)
- EGTC North Galicia of Portugal
- AEC Rio Minho
- Eurocities Galician and Spanish-Portuguese

Eurocity Cerveira-Tomiño, December 14, 2018



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