



# ***b-solutions:*** **Solving Border Obstacles** A Compendium of 43 Cases



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# Preface by the European Commission

Cohesion policy means finding ways to ensure that everybody in the EU has a fair chance and equal access to work, education, health and other services. Ultimately, no individual or territory should be left behind. This applies certainly to border regions where equal access is not always guaranteed due to administrative, legal and institutional bottlenecks due to differences between neighbouring countries. We need to ensure that each border region in the EU can exploit its full potential, including by reaching out to the “other side”.

To do so, we need to go local and understand better the concrete challenges in each border region. This is what *b-solutions* is doing: by looking at each particular case, identifying the specific root causes of the bottlenecks and devising possible solutions. Most interestingly, all relevant organisations are involved to find specific solutions. Without engaging all partners, problems would not be solved.

This compendium shows us concrete cases where the European Commission has contributed to solving bottlenecks so that ambulances will cross the border to the nearest hospital, buses will take citizens to nearby towns on the other side of the border, students will have easier access to education and job seekers can more easily find a job on the other side of the border. The individual cases in this compendium also illustrate how the proposed European Cross Border Mechanism could facilitate the roll-out of solutions to cross border obstacles, thus making very concretely the case for this novel instrument.

I sincerely hope the work done in these 43 cases will be inspiring and useful to find many more concrete solutions for the benefit of European citizens in border regions.



Marc Lemaître,  
Director-General, DG Regional and Urban policy

# Preface by the Association of European Border Regions (AEBR)

Border regions are frequently viewed as peripheral when they are considered in their national context. However, within supranational integration processes, the paradigm shifts, and they become much more central. Border and cross-border regions are the actual core of the European Union, where the process of integration happens on a daily basis and where it should show its most visible outcomes. These are real places of encounter, exchange and sharing. There is a lot of experience of cooperation across borders developed in the EU over more than half a century. This is especially due to three decades of *Interreg* and many years of cross-border cooperation practices adopted by lots of stakeholders in border regions. AEBR as an NGO has been a key player in supporting these processes and advocating for the needs of border regions to be reflected in centralised policies and their implementation processes.

While there has been progress in most border areas and there are significant good practices in border regions across Europe, obstacles nevertheless remain. Cross-border cooperation is still hindered in some borders, mainly as a result of legal and administrative frameworks implemented at national level. In most cases, these follow a national logic that itself does not always take into consideration the specificities of border regions and their growing inter-connections with their neighbours — whereas these are important for Member States themselves. Such obstacles experienced in border regions indicate that there is still untapped potential for Member States to embrace the role their border regions have in enhancing European integration and territorial cohesion across and beyond the borders of the EU. The obstacles have an impact in many aspects of citizens' lives (work, study, healthcare, mobility, business, etc). These obstacles also have the potential to limit national economic and social wellbeing and therefore that of Europe. All citizens and territories should be able to enjoy the same possibilities and opportunities for fulfilling their needs, potential and expectations. In light of all of the above, it is important to develop place-based approaches in border regions, which are preferably bottom-up, to register obstacles on the ground and subsequently draw the attention of competent authorities at the higher levels. This is exactly what the pilot initiative *b-solutions* aims to do.

With the present compendium, the Directorate General for Regional and Urban Policy of the European Commission (DG REGIO) and the Association of European Border Regions (AEBR) hope to raise awareness about varied legal and administrative obstacles faced by local and regional authorities when they collaborate with their neighbours across national boundaries, analysing them with a view to promoting a number of possible solutions. We also want to enable the replicability of these solutions to facilitate cross-border cooperation for the benefit of border citizens. Some of the obstacles identified are very similar or have similar origins. And there are probably more which have not been identified (yet) under *b-solutions*, showing the high replication potential of the proposed solutions.

The compendium consists of a collection of solutions to administrative and legal obstacles to cross-border cooperation which have been studied in the course of the pilot initiative *b-solutions*. The project provided an opportunity for public bodies and cross-border entities

to analyse impediments blocking the implementation of projects involving authorities from the neighbouring Member States. The overall objective of *b-solutions* is therefore to identify and promote sustainable methods of resolving border obstacles along EU internal land borders together with local stakeholders and, ultimately, to facilitate cross-border cooperation all over the European Union. There is considerable potential for the *b-solutions* model and methodology to be applied along EU external borders, both land-based and maritime, again to identify good practices, innovation and solutions which can benefit the entire EU and its wider neighbourhood.

It is important to underline that the content of this compendium is based on experiences shared by regional and local authorities. In the light of this, it represents an innovative bottom-up approach to policymaking: the conclusions and suggested measures which DG REGIO and AEBR have drawn from the pilot initiative are feasible, have been identified by practitioners or experts on cross-border cooperation and, at least in part, have proven successful in bringing cross-border cooperation forward.

Linked to this aspect, the information included in this compendium enhances and supports communication among stakeholders, both on the horizontal and the vertical axes. Local authorities can learn from each other's experiences and draw suggestions from the solutions implemented by other actors. At the same time, this compendium creates a body of evidence-based knowledge on cross-border cooperation, laying out its dynamics, requirements, and outcomes, which is intended to be shared with decision-makers at national and European levels.

AEBR regards and conceptualises border regions as laboratories of integration: due to their particular geo-political position, border regions are front-runners of the integration process and they indicate in advance what the needs of European integration are. In reason of this, the solutions presented in this compendium could signal what the systemic and practical prerequisites for a well-functioning and more integrated Union are.

The Association of European Border Regions is particularly proud of the work which the present compendium represents, and we aim to inspire border and cross-border regions to keep on engaging in effective cross-border cooperation strategies, programmes, projects and other initiatives.

We would like to thank the colleagues at DG REGIO, and particularly its *Border Focal Point*, for their support throughout the implementation of *b-solutions* and the making of this publication. Thanks so much too to all experts taking part in the selection of pilot actions within the first *b-solutions* call and those taking care of single advice cases resulting from the second one. A special memory for Pertti Hermannek, one of our experts, who passed away during the implementation of the first phase of *b-solutions*. We also thank Kevin Bradley for his improvements to the thematic analyses and Caitriona Mullan for proofreading and editing the text — thank you both for having contributed to enrich this compendium. Finally, we are also very grateful to all the stakeholders that have participated in this pilot initiative and we would like to thank them for having joined us in this innovative experiment. *b-solutions* would have been empty without your contribution.

The whole team behind this compendium wishes you a good reading, and hopes these experiences will inspire further *b-solutions* in all European borders!

The AEBR Team  
Berlin/Gronau, March 2020

# Executive summary

The present compendium showcases the findings collected in the course of the implementation of *b-solutions*, a two-year pilot initiative of the European Commission's Directorate General for Regional and Urban Policy (DG REGIO)<sup>1</sup> and implemented by the Association of European Border Regions (AEBR).

The aim of the initiative is to tackle legal and administrative obstacles hindering cooperation in border regions along EU internal land borders through the adoption of sustainable and replicable solutions. As such, *b-solutions* was part of a set of new and concrete actions to enhance cohesion in cross-border areas included in the Communication *Boosting Growth and Cohesion in European Border Regions* (COM(2017)534) adopted by the European Commission in 2017.

Border regions constitute the EU Cohesion Policy major landmark and after 30 years since the establishment of the Interreg funding programme<sup>2</sup>, thousands of projects<sup>3</sup> have successfully received financial support to better exploit the potential of these territories. Nevertheless, as reported in the European Commission's Cross-Border Review<sup>4</sup>, obstacles of legal or administrative nature continue to have a negative impact on the stakeholders and citizens living and operating across boundaries. This suggests that there is greater potential for authorities at all levels to learn from the best practice and experience of border regions, in particular about measures that are needed at a legal or administrative level in order to sustain and stabilise co-operation in border regions.

The Association of European Border Regions (AEBR) was entrusted by DG REGIO to manage the initiative in 2017. Thereafter, two separate calls for proposals were launched by AEBR in February 2018 and February 2019. The first call resulted in the selection of ten pilot actions to be implemented with maximum financial support of € 20,000 for testing tailor-made solutions to obstacles identified for a period of fifteen months. The second call allowed the selection of thirty-three advice cases to be consulted on by legal experts with relevant competences in cross-border matters who would produce an analysis of the specific obstacle. Overall, forty-three obstacles were identified in six different fields — employment, multilingualism, public transport (of passengers), health (including emergency services), institutional cooperation and eGovernment — in accordance with the indications included in the Commission's Communication on border regions.

This compendium begins with an introduction with the background to the initiative (Cross-Border Review, the Commission's Communication on border regions) and the expected results. Chapter I then sets out the project methodology with explanations of the two calls, while a special section is dedicated to the method used to categorise all the obstacles and

1 [https://ec.europa.eu/regional\\_policy/en/](https://ec.europa.eu/regional_policy/en/).

2 [https://ec.europa.eu/regional\\_policy/en/policy/cooperation/european-territorial/](https://ec.europa.eu/regional_policy/en/policy/cooperation/european-territorial/).

3 <https://interreg.eu/>.

4 [https://ec.europa.eu/regional\\_policy/en/policy/cooperation/european-territorial/cross-border/review/#1](https://ec.europa.eu/regional_policy/en/policy/cooperation/european-territorial/cross-border/review/#1).

relative solutions. Chapter II provides an analysis of the obstacles and the solutions divided per thematic area according to the categorisation introduced in the “Methodology”. In chapter III, the lessons learned and the policy recommendations deriving from the previous analysis of the data are outlined.

The annex of this compendium is an inventory of the forty-three case studies of obstacles, whose specific features are outlined in detail in single information sheets. The presentation of the pilot actions contains considerable focus on the process that led to the solution, and detail on the actual outcomes and the range of actors involved. The information sheets for the advice cases show the analyses carried out by the experts who consulted on the cases. In these information sheets the legal or administrative provisions causing the hurdles are clearly indicated, along with a set of recommendations to reach potential solutions.

Every information sheet is accompanied by a map and a conclusion section indicating the next steps that the practitioners involved are willing to undertake in order to foster collaborative relations with their neighbours beyond the framework of *b-solutions*. The inventory was created by summarising the information included in the final post-implementation reports submitted by the pilot actions, and also from the analyses provided by the experts who advised the thirty-three cases selected under the second call for proposals. All the reports are available for consultation in the dedicated section on the European Commission’s *Boosting EU Border Regions* online platform<sup>5</sup>.

The overall analysis of the forty-three cases generally confirms the information contained in the Commission’s Communication on border regions, showing that hurdles emerge in particular because of the presence of overcomplicated legal and administrative procedures or a lack of coordination among the stakeholders. Additionally, in some cases, uncertainties on how to trigger cooperation arise because of a legal or administrative framework that does not take into account the cross-border dimension, and/or an unfavourable division of relevant competences — which, in some cases, lie at national level only.

Possible solutions are explored under the six thematic areas, in accordance with the type of action required to resolve the obstacle and the type of actors involved. In most cases, fresh solutions are needed, for example via the introduction of new legislative provisions or the elaboration of innovative methodologies and action protocols. For other solutions to be implemented it suffices to apply normative provisions which already exist in the current European or national legal framework but which have not been utilised yet for the specific case.

Attention is also given to the European Cross Border Mechanism (ECBM), as an additional instrument to enhance cooperation along the internal borders of the European Union, which has been proposed by the European Commission in 2018. The benefits of the ECBM’s potential applicability have been outlined by several experts, stressing the fact that its implementation would significantly ease cooperation processes along various borders. Nevertheless, a toolbox to increase knowledge and skills to use the ECBM would be necessary.

The analysis of the obstacles in combination with the proposed solutions in the framework of this publication serves as a basis for listing a range of lessons learned in the course of the implementation of *b-solutions*.

The findings show, in particular, that border regions keep facing a wide range of legal and administrative obstacles in almost all the aspects of community life and there are no easy and ready-made solutions. In many cases, solving the hurdle requires the change of the current legal and administrative framework, but solutions of different type are also proven to be helpful. Exchange of information among stakeholders and coordination with competent authorities are fundamental, as well as a well-researched and evidence-based understanding of the obstacles.

5 <https://ec.europa.eu/futurium/en/border-regions>.

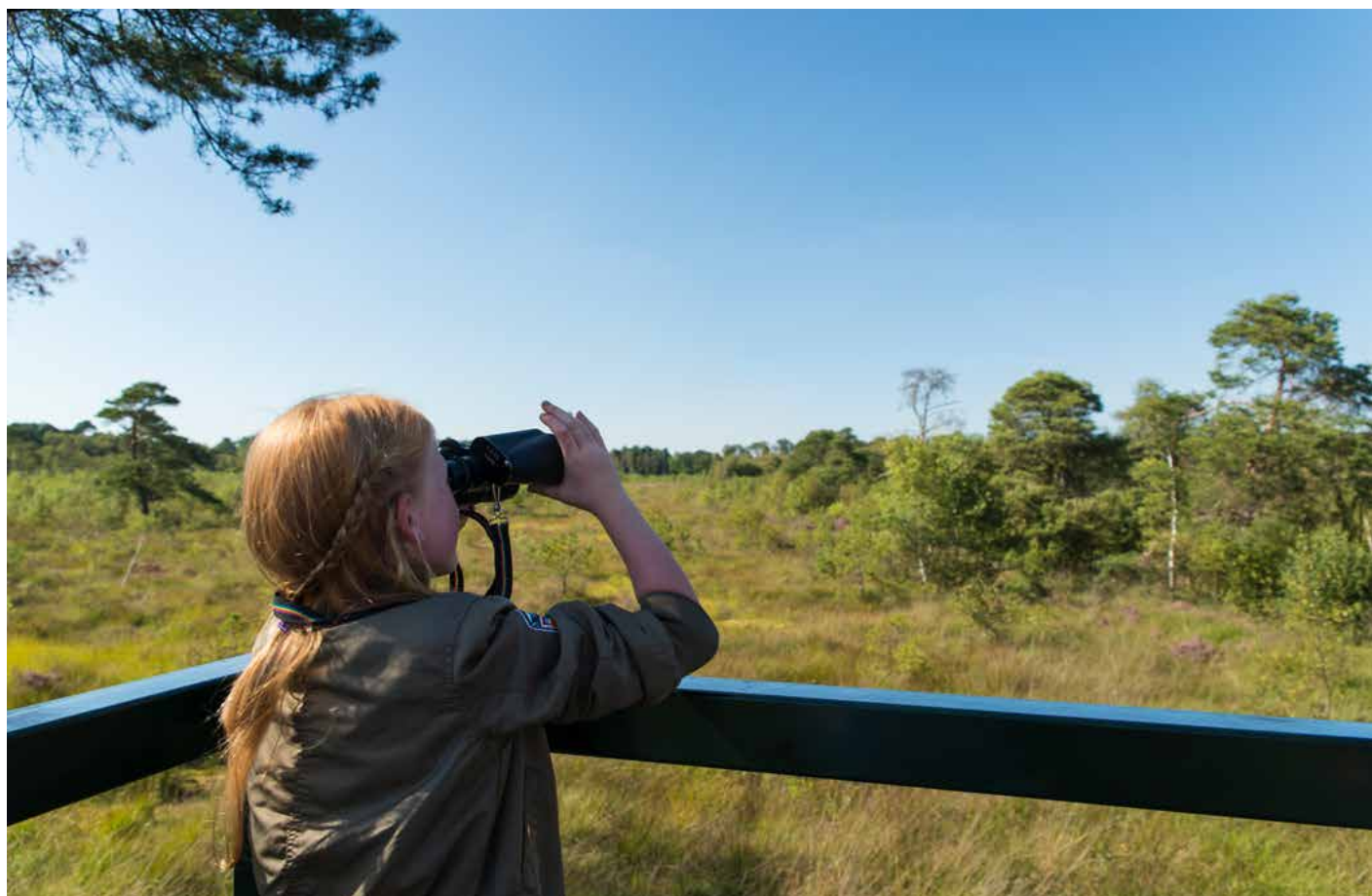


However, stakeholders often lack capacity to do so autonomously, thus European instruments are an essential support to positively resolve impediments to cross-border cooperation.

These lessons are accompanied by a list of policy recommendations to be transferred to competent authorities, political actors and practitioners at local, regional, national and European level in order to raise awareness on the many obstacles still preventing cooperation in border areas. In particular, more support is needed for regional and local authorities to be able to apply tailor-made arrangements. Local policymakers should have access more easily to legal expertise and knowledge. Universities and educational institutions — especially those located in border regions — can play a substantial role to make cross-border instances more widespread. Border regions should be empowered to gain more attention of national authorities and seek solutions of legal or administrative nature that involve changes in current frameworks. Finally, a cross-border logic should be integrated in national legislative provisions and more support should be provided by EU institutions. To do so, Interreg programmes play a crucial role, as they can help detect legal or administrative obstacles hindering cross-border cooperation. In the light of the knowledge they possess on cross-border cooperation matters and on the specificities of the normative frameworks meeting on the borders where Interreg programmes are located, Managing Authorities and Joint Secretariats could address impediments to cross-border cooperation in each distinct border while fulfilling their objective of enhancing cooperation in the border area.

In the course of the implementation of *b-solutions*, the Association of European Border Regions (AEBR) cooperated closely with the Directorate General for Regional and Urban Policy (DG REGIO). The selection of cases, the structure of the reports and the contents of this publication have been discussed and approved by both organisations.

Improvement of cross-border communication and care for cross-border children and young people (#CrossBorderYouthCare)  
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# Introduction and background

Member States of the European Union<sup>6</sup> and three of their partners in the European Free Trade Association (EFTA) — Norway, Switzerland and Liechtenstein<sup>7</sup> — have forty land borders, involving 448 different NUTS-3 territories sharing at least one national boundary. These regions are inhabited by approximately 150 million European citizens —almost one third of the entire EU population — and constitute a major target of EU Cohesion Policy. The EU Interreg initiative started in 1990 aimed at enabling a stronger and more efficient cooperation between border regions, especially after the announcement of the European Single Market in 1992. Despite having boosted EU productivity and cut previous customs-related costs, among other benefits, the Single Market has not been fully achieved. This is particularly evident in cross-border areas, especially in the field of services, and also results in some negative outcomes for more peripheral areas. The Interreg initiative has now become a fully-fledged objective under the Union's Cohesion Policy and, after 30 years, thousands of projects have received financial support to better exploit and release the potential of border regions and to overcome existing difficulties such as reduced accessibility, lack of cross-border public services, fewer incentives for SMEs, etc.

As stated in Article 174 of the Treaty of Lisbon, “to promote its overall harmonious development” the Union, should pay particular attention “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”<sup>8</sup>. This indicates that promoting the prosperity and quality of life in cross-border regions is a political imperative which serves as one of the foundations for enhancing the whole European integration process and the positive effects that it generates for all citizens.

Furthermore, beyond Interreg funding programmes, many other good examples of already well-established and fruitful institutional cooperation endeavours have been put in practice, such as, for example, the creation of associations of states like the *Benelux Union* or the *Nordic Council of Ministers*, associations of regions like the *Greater Region*, the *Alpine Cooperation*, the *Upper Rhine Conference*, the Working Community of the Pyrennees, or the *Greater Copenhagen and Skåne Committee*, successor of the Öresund Committee, and the many *Euroregions* and *European Groupings of Territorial Cooperation*. Such initiatives gather hundreds of regions, provinces, counties, districts and municipalities across all European borders, working daily for the promotion of mutual trust and cooperation across national boundaries.

However, the same degree of joint action is not identifiable along all 40 land borders within the EU, nor are their circumstances, mainly due to geographical, demographical, historical, linguistic and economic factors. Therefore, the picture showing the distribution of positive

6 Cyprus and Malta are EU Member States but they only have maritime borders. During the implementation of *b-solutions* the United Kingdom was a Member State of the European Union (it left on 31 January 2020, at least for the time being).

7 Despite being part of the EFTA, Iceland is excluded from this classification as it only shares maritime borders with the EU.

8 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12008E174>.

cross-border interactions is rather uneven. Yet trust building, as indicated in the base of the “cake” celebrating 25 years of Interreg in 2015, is a pending subject in a number of borders. Furthermore, border stakeholders and citizens keep facing persistent challenges — especially of a legal and/or administrative nature — when interacting across the border. These have both direct and indirect impact on their daily life, on the economic performance of specific policy fields as well as on regional and national economies. Additionally, undue complications remain in carrying out certain activities across internal EU borders than elsewhere within the Union.

These legal and administrative obstacles are a clear hindrance and challenge in the process of developing the endogenous potential for growth of border regions. A study by the university *Politecnico di Milano* in 2017 showed that the removal of 1/5 of these hindrances could result on an average growth of 2% of the aggregate GDP of these territories<sup>9</sup>. The European Commission’s *Cross-Border Review*<sup>10</sup>, launched on the occasion of the 25<sup>th</sup> Anniversary of Interreg, showed that legal and/or administrative barriers still affect many aspects of life in border regions such as access to employment, healthcare, education and training, use of different technical standards, non-recognition of qualifications, lack of local cross-border public transport, even in sectors where there is a comprehensive European legal framework.

As a further step towards the development of new methods to solve the above-mentioned obstacles, on 20 September 2017, the European Commission adopted the Communication *Boosting Growth and Cohesion in European Border Regions* (COM(2017)534)<sup>11</sup>.

This Communication proposed a set of concrete actions to enhance the competitiveness and cohesion of cross-border regions. In particular:

- a **Border Focal Point** has been established in the Directorate General for Regional and Urban Policy (DG REGIO) to coordinate the implementation of the proposed action plan and to provide Member States and other players with support to address border issues;
- an **online professional network**<sup>12</sup> was created and it is operational since 16 January 2018; this facilitates the presentation and discussion of legal and administrative obstacles and possible solutions;
- the **b-solutions** initiative was devised, aimed at exploring innovative approaches to addressing and tackling border issues.

### The **b-solutions** initiative

One of the actions to be undertaken in order to boost dialogue and cooperation on border issues is this pilot initiative financed by the EU budget, which commenced on 15 December 2017. Taking into account its network, established almost fifty years ago, the Association of European Border Regions (AEBR) was asked by the European Commission’s Directorate General for Regional and Urban Policy (DG REGIO) to manage and implement a pilot grant scheme to develop *b-solutions*. AEBR is the only Europe-wide organisation representing border and cross-border (CB) regions in 25 out of 27 Member States and beyond, with a huge contacts data base. AEBR is also the oldest European association of regions, with methodological and practical experience in all aspects related to cross-border cooperation. It also actively maintains contact with local, regional, national and European authorities and organisations in order to improve knowledge and understanding of key cross-border issues, and to advocate for border regions.

9 Politecnico di Milano (ed) (2017), Quantification of legal and administrative border obstacles in land border regions, accessible at: [https://ec.europa.eu/futurium/en/system/files/gcd/quantif\\_effect\\_borders\\_obstacles\\_1.pdf](https://ec.europa.eu/futurium/en/system/files/gcd/quantif_effect_borders_obstacles_1.pdf), p. 8.

10 [http://ec.europa.eu/regional\\_policy/de/policy/cooperation/european-territorial/cross-border/review/](http://ec.europa.eu/regional_policy/de/policy/cooperation/european-territorial/cross-border/review/).

11 [http://ec.europa.eu/regional\\_policy/en/information/publications/communications/2017/boosting-growth-and-cohesion-in-eu-border-regions](http://ec.europa.eu/regional_policy/en/information/publications/communications/2017/boosting-growth-and-cohesion-in-eu-border-regions).

12 <https://ec.europa.eu/futurium/en/border-regions>.

The main aim of *b-solutions* is to identify and promote sustainable methods of resolving border obstacles of a legal and/or administrative nature along EU internal land borders (including neighbouring EFTA countries), granting public authorities the possibility of testing effective ways of overcoming the hindrances that keep preventing a full-fledged cooperation across the borders.

Hence, AEBR, taking advantage of its well-established network, managed the launch of two calls for proposals envisaged by the initiative, respectively in February 2018 and in February 2019.

Through the outcomes of both calls for proposals, *b-solutions* is aimed at:

- providing solutions addressing specific legal and administrative obstacles;
- drawing attention to innovative proposals that can inform further development and implementation of future approaches by national/regional authorities and/or via EU instruments (particularly, but not exclusively, Interreg and the proposed European Cross-Border Mechanism – ECBM<sup>13</sup>);
- increasing the exchange of information, coordination and mutual engagement between the different levels of administration in border areas;
- promoting joint initiatives involving multi-level governance across borders; and
- providing an increased understanding of specific obstacles and potential ‘solutions’ amongst key stakeholders at local/regional/national/EU level.

Furthermore, the expected impact of the initiative can be understood at two levels: one relates to the outcomes of the individual cases, in which the resolution of obstacles will lead to positive effects on cooperation at local level. The second level of impact relates to the fact that a broader effect on other areas can be achieved if innovative approaches are developed and made replicable elsewhere.

Finally, following the indications of the Commission’s Communication on border regions, specific thematic areas have been determined in order to classify the legal and administrative obstacles identified through *b-solutions* within the following priority fields:

**Employment:** labour mobility and employment have been recognised as the most important areas affected by border legal obstacles, especially with regard to processes such as completing an apprenticeship, having one’s skills and competences fully recognised, accessing job vacancies, obtaining certainty on legal issues and social security coverage, etc. Despite the adoption of several tools and measures at European level, these issues are not fully understood and there is still room for improvement and for delineating innovative and sustainable solutions to boost employment at cross-border level. Confirming the relevance of this theme, nine obstacles to cross-border employment were identified, finding similar challenges to the ones pointed out in the Commission’s Communication on border regions.

**Health, including healthcare emergency services:** the Directive 2011/24/EU on the application of patients’ rights in cross-border healthcare<sup>14</sup> states that “encouraging cooperation between the Member States to improve complementarity of their health services in border regions is a priority for the EU”, considering that “the health systems in the Union are a central component of the Union’s high levels of social protection, and contribute to social cohesion and social justice as well as to sustainable development”. The implementation of this Directive still encounters obstacles which need to be understood and resolved in order to deliver full benefit to citizens. Within the *b-solutions* initiative, seven obstacles to the delivery of cross-border health services have been tackled.

<sup>13</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A373%3AFIN>.

<sup>14</sup> <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:088:0045:0065:EN:PDF>.

**Public transport (of passengers):** transport is a key enabler of exchanges and of connectivity between regions across national borders. Public transport services in particular are not only helpful for integration processes but also to enhance the sustainability of such cross-border connectivity. The absence, insufficiency or low-quality of public transport services are still a reality for many citizens in border regions. This issue has three dimensions: infrastructure connections, service provision, and the quality of services. These aspects have been investigated in detail through eight cases in the framework of *b-solutions*.

**Multilingualism:** the Commission's Communication on border regions clearly highlighted that multilingualism is a European integration goal. The European Union has 24 different official languages which make it a unique example of cultural diversity that must be preserved. In this context, promoting multilingualism, especially in border-regions, namely by learning the language of the neighbour region, would clearly lead to an increase of meaningful exchanges between all levels of public administration and individuals, improving daily cooperation across borders. Ensuring access to cultural goods on the neighbouring language is also a way to promote multilingualism. The importance of tackling measures impeding multilingualism in border regions has been highlighted in two *b-solutions* cases.

**Institutional cooperation:** many border obstacles arise from the existence of different national legal systems and administrative procedures which collide and often conflict at the borders, thus creating uncertainties and complexities. In some cases incompatible transpositions of European legislation can cause such obstacles. EU Member States have different administrative cultures and systems. This diversity can be a constraint when different systems meet. Most administrative procedures tend to be of a national and centralised nature, and cross-border procedures are less widespread. However, cross-border stakeholders may well require non-domestic procedures on a regular basis. The lack of a common approach or understanding, and the limited existence of mutually recognised documents and processes can lead to lengthy and costly procedures, even for key life events. Trust building is an essential enabling element for cross-border cooperation, as it emerged from the analyses of the sixteen cases selected by *b-solutions* under institutional cooperation, demonstrating how difficult it is to cooperate in a context where multiple institutional arrangements meet.

**eGovernment:** in its *eGovernment Action Plan 2016-2020* (COM(2016)-179)<sup>15</sup>, the European Commission sets out a long term programme to foster an open, efficient and inclusive public administration through the promotion of e-solutions and end-to-end services. However, border stakeholders and public authorities concerned with cross-border administrative procedures and data exchanges continue to face challenges due to different national transpositions of the EU legislation, incompatible legal and regulatory frameworks and lack of interoperability of systems. Frequently eGovernment solutions are designed and implemented without taking into consideration potential compatibility with those on the other side of the border. Ultimately, these challenges limit the EU's so-called acceleration towards a fully digital single market, as the only obstacle selected under this theme showcases.

**Information services:** in the meantime, access to available and reliable information and problem-solving services related to living or working on the other side of a border is vital. Preparatory work for the Commission's Communication on border regions highlighted concerns by individuals and businesses on the lack of reliable information services. This leads to legal uncertainties that hamper cross-border interaction or makes the implementation of cross-border projects lengthy and more costly.

**Evidence and data:** collecting data and evidence on border interactions is a first necessary step towards facilitating cooperation in many areas. However, only limited resources are invested in collecting and analysing information on border difficulties and complexities.

<sup>15</sup> <https://ec.europa.eu/digital-single-market/en/news/communication-eu-egovernment-action-plan-2016-2020-accelerating-digital-transformation>.



Similarly, the limited availability of statistical and geospatial data on cross-border flows reduces the scope for genuine cross-border policy development and decision-making. Statistical and geospatial data describing cross-border flows and phenomena are not always sufficiently available or compatible to allow policymakers to take informed decisions.

Five of the above-mentioned thematic areas were the focus of the first call for proposals, and applicants were requested to address one of the following topics: employment, health, transport, multilingualism and institutional cooperation. For the second call, advice cases could explore obstacles specialized under eight themes (the already mentioned five ones plus eGovernment, information services and evidence & data), with the aim of giving the applicants a wider range of possibilities for the identification of existing hurdles in their border(s). No obstacle was submitted under the last two thematic areas.

Ambulances without Borders: towards sustainable cooperation between emergency services  
(#FirstAidMobility)  
© Municipality of Woensdrecht



# Chapter I: Methodology

## The first call for proposals

The first call for proposals launched under the *b-solutions* initiative in 2018 aimed to support the implementation of pilot actions to devise innovative and sustainable solutions to legal or administrative obstacles hampering cross-border cooperation. The objective of the first call for proposals was to identify a maximum of 20 specific solutions addressing concrete legal and administrative obstacles, tested and based on case-studies, detected in any of these thematic areas addressed by the European Commission in its Communication on border regions: Employment, Transport, Health, Multilingualism, and Institutional Cooperation. The same classification of project applications was kept for this compendium. The solutions proposed should be replicable, made available and promoted to border regions across AEBR's wide network and beyond. These innovative proposals had to be developed throughout the implementation period of every pilot action. The outcomes would inform further development and implementation of innovative approaches by national/regional authorities and/or via EU instruments (particularly, but not exclusively, Interreg).

The call addressed public bodies (national, regional, local) in border regions and cross-border structures such as European Groupings of Territorial Cooperation (EGTCs), Euroregions, Eurodistricts and Eurocities. The call required a minimum of two co-applicants, each having mandate on the territory where the project had to be tested.

A panel of experts in legal and administrative matters related to cross-border territories established by DG REGIO and AEBR reviewed the 36 submitted applications following the criteria established in the call for proposals, performing the quality assessments and a first ranking of received applications.

The main criteria for the selection of *b-solutions* projects for sub-granting were:

1. the adequateness and feasibility of the proposal to tackle and effectively solve the addressed obstacle(s);
2. the partners' mandate to devise possible solutions for the identified obstacle;
3. the potential replicability of the action in other European internal borders;
4. the contribution of the proposed solution to the enhancement of cross-border interaction within any of the five eligible fields;
5. the general quality of the proposal;
6. the expected visibility of the European added value of cross-border cooperation and Cohesion Policy.

The European Commission and AEBR selected the applications to be awarded and implemented on the basis of the appraisal made by the experts. A total of ten pilot actions were selected.

Ten beneficiaries received a sub-grant up to 20,000 Euros to implement, together with their partners, pilot actions addressing the obstacles identified and documented in the application. In a period of 15 months, the stakeholders were requested to realise the solutions they had devised in the application and resolve an obstacle hindering cross-border cooperation between the co-applicants.

The implementation period finished on 31 October 2019.

#	Title	Lead Applicant	Borders	Thematic area
1	Cross-border mobility in dual education in the Eurometropolis	EGTC Eurometropolis Lille-Kortrijk-Tournai	BE-FR	Employment
2	XBORDER-WORK – tackling administrative issues that hinder free movement of workers	Region Friuli Venezia Giulia	SI-IT	Employment
3	Roadmap for recognition of qualifications for highly demanded professions	Province of Limburg	DE-NL	Employment
4	CB-PUMP – cross-border public urban mobility plan	EGTC GO	IT-SI	Transport
5	When EMS (emergency medical systems) erase borders	Consortium of the Working Community of the Pyrenees	ES-PT-AD	Health
6	Cooperation protocol on administrative procedures on health insurance for frontier workers	EGTC Eurodistrict PAMINA	FR-DE	Institutional Cooperation
7	Lithuanian – Latvian institutional cooperation on cross-border groundwater management	Latvian Environment, Geology and Meteorology Centre	LV-LT	Institutional Cooperation
8	GeoConnectGR	EGTC Summit Secretariat of the Greater Region	BE-LU-DE-FR	Institutional Cooperation
9	CrossMarket – enhance cross-border selling at local farmers’ market	EGTC Pannon ltd.	HR-HU	Institutional Cooperation
10	Bilingualism in the tri-border region AT-HU-SK	Lower Austrian Government, Department of Pre-Schools/ Kindergartens and Schools	AT-HU-SK	Multi-lingualism

Table 1: List of awarded pilot actions.

The beneficiaries published posts about the progress of each project on the European Commission’s *Boosting EU Border Regions* online platform, namely in the *Pilot Projects* group. The main achievements of each pilot action can be traced in this online platform.



## The second call for proposals

The short number of proposals submitted to the first call and their overall lack of a solid legal description of the obstacles revealed a difficulty to identify obstacles and document their legal root causes. It became clear that the aim of the first call for proposals, namely receiving proposals to implement devised solutions to documented obstacles, implied a prior address of the challenge. Stakeholders in border regions need additional support to document obstacles and make the legal assessment of their root causes.

In consequence, a second call followed to document and analyse further cases of legal or administrative obstacles hindering cooperation. This change in the approach put the focus rather on supporting local cross-border cooperation actors to overcome the difficulties detected in the course of the first call for proposal. In the light of this, within the second call, a maximum of 35 successful candidates were assigned support in the form of expert's services providing legal consultation to define and document the identified obstacle. In the second call, the task to make a clear reference to the legal provisions causing the obstacle and to propose a possible solution was no longer assigned to local and regional authorities or cross-border cooperation practitioners, but rather to legal experts with knowledge in cooperation.

Like the first call, also the second one addressed public bodies (national, regional, local) with a national boundary limiting their territory and cross-border entities such as European Groupings of Territorial Cooperation (EGTCs), Euroregions, Eurodistricts, Eurocities or similar cross border structures with legal personality located in an EU Member State (or neighbouring EFTA country). In this second call, however, no co-applicant was required.

Similarly to the previous call for proposals, applicants were asked to classify the obstacle subject of the application in one of the thematic areas addressed by the European Commission in its Communication on border regions. In the second call more categories have been included (Employment, Transport, Health, Multilingualism, Institutional Cooperation, Information Services, eGovernment and Evidence & Data). The thematic classification of the different projects and cases used in this compendium corresponds to the classification used by project promoters in their applications.

By the deadline of the call on 12 April 2019, 44 applications were submitted. The European Commission's Border Focal Point and AEBR performed the quality assessments based on the following criteria:

1. the proposed action addressed real and documented obstacles of an administrative and/or legal nature hampering cross-border cooperation in one of the thematic fields addressed in the Commission's Communication on border regions;
2. the potential increase in cross-border cooperation if the obstacle is solved was clear;
3. the applicant or the partners had the mandate to devise solutions;
4. the replicability potential of the action was clear.

As a result of the joint assessment, 33 advice cases were selected.

Within this second call, successful applicants were assigned the support of legal experts with knowledge of cross-border matters. The adviser would support in defining the obstacle(s), presenting them in a clear and systematic way, as well as in identifying solutions and outlining legal frameworks from which to proceed. The experts were matched with the cases by AEBR and DG REGIO on the basis of the advice cases' requirements (e.g. local languages, type of obstacle(s), thematic area).

Name Surname	Position and Organisation
Alexandra Aragão	Professor at Coimbra University
Annika Jaansoo	Researcher at Twente University
Aurélien Biscout and team	Secretary General of Mission Opérationnelle Transfrontalière (MOT), Paris
Céline Laforsch	Lawyer at Task Force Frontaliers de la Grande Région, Saarbrücken
Clarisse Kauber and team	Studies Manager, Euroinstitut, Kehl
Esther Rippel	Lawyer at Task Force Frontaliers de la Grande Région, Saarbrücken
Gyula Ocskay and team	Secretary General of Central European Service for Cross-border Initiatives (CESCI), Budapest
Hildegard Schneider and team	Professor at Maastricht University
Hynek Böhm	Professor at Liberec Technical University
Jan Oostenbrink	Consultant, Groningen
José Manuel Sobrino Heredia	Professor at La Coruña University
Marcin Krzymuski	Legal consultant at Hempel, Krzymuski & Partner, Leipzig
Margot Bonnafoous and team	Senior Project Manager, Euroinstitut, Kehl
Maria Garayo Maiztegui	Legal consultant at LBR International Strategies, Bilbao
Martin Unfried	Researcher at Maastricht University
Michael Frey	Professor at Kehl University of Applied Sciences
Michele Vellano	Professor at Turin University
Mitja Ozbič	Legal consultant at Law Firm Ozbič, Aurisina – Nabrežina
Oliver Stein	Lawyer at Gebauer Stein Rechtsanwälte Avocats PartGmbB, Strasbourg
Peter Hansen	Director of Region Sønderjylland – Schleswig, Padborg
Petia Tzvetanova and team	Legal expert at Mission Opérationnelle Transfrontalière (MOT), Paris
Plamen Slavov	Legal expert at the Ministry of Education and Science, Republic of Bulgaria, Sofia
Rosalía Perera Gutiérrez	Lawyer at Perera Abogados, Badajoz
Šarūnas Radvilavičius	Deputy director of the Nordic Council of Ministers Office in Lithuania, Vilnius
Gintaras Skamaročius	Director of Euroregion Marijampolė
Sonja Adamsky	Lawyer at Euregio, Gronau
Teresa González Ventín	Consultant on Cross-Border Social Dialogue, Vigo

Table 2: List of experts and organisations contracted by the Association of European Border Regions.

At the end of the implementation period, experts submitted final reports which outlined main findings of their analyses and proposals for possible solutions. In particular, these final reports by the experts describe the obstacles and indicate the specific legal/administrative provisions causing them. Reports also devise solutions which could potentially solve the hindrances. The experts have been asked to also pre-assess whether the European Cross-Border Mechanism could, eventually, serve as a tool for overcoming each obstacle. As such, the reports from the experts constitute the main source of information for the present compendium with regard to the analysis of the advice cases.

#	Title of the action	Name of the applicant	Border(s)	Thematic area	Experts
11	183 days rule obstructing cross-border mobility	Oost-Vlaanderen Province – Euregio Scheldemond	BE–NL	Employment	Martin Unfried
12	Juridical obstacles in establishment and financing of trans-national business incubator	Lazdijai District Municipality	LT–PL	Employment	Marcin Krzymuski
13	Dutch-German cross-border employment of students originally from outside the EU	The Economic Board Arnhem-Nijmegen	DE–NL	Employment	Peter Hansen
14	Cross-border work for non-EU citizens	Euregio Rhein-Maas-North	DE–NL	Employment	Peter Hansen
15	Current social and health insurance regulations as problem for borderland inhabitants working on both sides of border at the same time	Borderland Association Nasza Suwalszczyzna (NGO)	PL–LT	Employment	Marcin Krzymuski
16	Double personality is a single reality: working in Portugal and paying taxes in Spain due to legal and/or administrative impediments	Duero-Douro EGTC	ES–PT	Employment	Teresa González Ventín
17	MOBITRANS – boosting Minho river cross-border mobility	River Minho EGTC	PT–ES	Transport	Maria Garayo Maiztegui
18	European solution for a vignette for air pollution control	Eurodistrict Strasbourg-Ortenau EGTC	FR–DE	Transport	Michael Frey
19	SeaFlix – cross-border mobility	French Riviera Chamber of Commerce – CCINCA	FR–MC–IT	Transport	Michele Vellano
20	Tackling cross-border obstacles regarding e-bike sharing infrastructure	Ministry of the German-speaking Community	DE–BE	Transport	Jan Oostenbrink

21	Cross border rail connectivity for the Port of Strasbourg	Autonomous Port of Strasbourg	FR–DE	Transport	Clarisse Kauber and team
22	Trilateral bridge in Euroregion Neisse-Nisa-Nysa	Euroregion Nisa	CZ–DE–PL	Transport	Hynek Böhm
23	Launch of a regular passenger transport, with cabotage, between Chaves and Verín	Municipalities of Chaves and Verín	PT–ES	Transport	Maria Garayo Maiztegui
24	Ambulances without borders: towards sustainable cooperation between emergency services	Municipality of Woensdrecht	BE–NL	Health	Martin Unfried
25	Cross-border health care between the twin cities of Valga – Valka	Valga Municipality	EE–LV	Health	Annika Jaansoo
26	Speedy mutual recognition of qualifications for healthcare professionals	Cerdanya Hospital EGTC	ES–FR	Health	Aurélien Biscout and team
27	Development of a trans-border water supply network	Kalvarija Municipality	LT–PL	Health	Gintaras Skamaročius
28	Cross-border emergency medical services	French Regional Health Agency Grand Est	FR–BE	Health	Petia Tzvetanova and team
29	Cross-border healthcare	Euroregion Nisa, regional association	CZ–DE–PL	Health	Hynek Böhm
30	Making EGTCs more powerful: legal certainty for provision of personnel to the EGTC	Eucor – The European Campus	DE–FR–CH	Institutional Cooperation	Oliver Stein
31	Cross-border tourism package	QuattroPole e.V. – Luxembourg, Metz, Saarbrücken, Trier	LU–FR–DE	Institutional Cooperation	Ester Rippel, Céline Laforsch
32	Cooperation protocol aimed at simplifying LT-PL cross-border institutional cooperation in emergency management	Vilkaviskis District Municipality	LT–PL	Institutional Cooperation	Šarūnas Radvilavičius
33	Simplifying cross-border mobility of minors to carry out cultural or educational exchanges	Galicia-Norte de Portugal EGTC	ES–PT	Institutional Cooperation	José Manuel Sobrino Heredia
34	Administrative common barriers blocking real implementation of environmental management system	Galician Food Quality Agency – AGACAL	ES–PT ES–FR	Institutional Cooperation	Alexandra Aragão

35	Cross-border share of municipal management services	Arrabona EGTC	HU-SK	Institutional Cooperation	Gyula Ocskay and team
36	Improvement of cross-border communication and care for cross-border children and young people	Winterswijk Municipality	NL-DE	Institutional cooperation	Sonja Adamsky
37	Cross-border transport of CO <sub>2</sub> as a resource for industrial processes	Provincie Oost-Vlaanderen – Euregio Scheldemond	BE-NL	Institutional Cooperation	Martin Unfried
38	Consolidation of the circular economy concerning the WEEE	Pontevedra Province	ES-PT	Institutional Cooperation	Alexandra Aragão
39	Bulgarian-Romanian institutional cooperation constraint – BRICC	University of Ruse Angel Kanchev – BRIE	RO-BG	Institutional Cooperation	Plamen Slavov
40	Shared cross-border public services: French-German crèches	Eurodistrict SaarMoselle EGTC	FR-DE	Institutional Cooperation	Margot Bonnafous and team
41	Joint to protect children	Elvas Municipality	PT-ES	Institutional cooperation	Rosalia Perera Gutiérrez
42	Stop geo-blocking! Overcoming discrimination and developing intercultural competences by providing access to online content across borders	Euregio Meuse-Rhine EGTC	NL-DE-BE	Multi-lingualism	Hildegard Schneider and team
43	Cross-border e-procurement	EGTC GO	IT-SI	eGovernment	Mitja Ozbič

Table 3: List of advice cases matched with the experts.

The implementation period ended on 15 October 2019. The experts submitted their reports and a process of exchange was initiated with most of them in order to prepare fiches with specific information about all cases analysed in *b-solutions*. The result of this process can be found in the annex of the compendium (forty-three fiches corresponding to ten pilot actions and thirty-three advice cases). In the end of 2019 and the beginning of 2020, the material was compiled, organised and analysed by AEBR's team, with the support of DG REGIO's Border Focal Point and several external experts in order to produce a useful, attractive and reader-friendly document.

## The compendium

The findings of the project beneficiaries of the first call for proposal and the reports resulting from the consultations on the advice cases selected in the second call are finally displayed in a compendium which builds on their capitalisation potential.

The compendium addresses two main elements.

Firstly, it offers ground-breaking material on cross-border cooperation, shedding light on a policy field still little known although of key importance for the process of European integration. The compendium is a collection of real obstacles to cross-border cooperation experienced by practitioners throughout the European Union, and as such they raise awareness of the difficulties faced by local and regional policymakers and other stakeholders in regions at the EU internal land borders.

Secondly, it also informs both policymakers and practitioners of cross-border cooperation throughout the EU about possible solutions to the obstacles identified, allowing for mutual learning, capacity building and, eventually, for actions to overcome further hindrances. In this regard the compendium will help inform the considerations about the new legal instrument proposed by the European Commission: the European Cross-Border Mechanism (ECBM).

The compendium consists of an analysis of the solutions proposed through the implementation of the pilot actions and the consultations on the advice cases for each of the thematic areas considered<sup>16</sup>, and of a chapter setting out initial conclusions and lessons learned from this initiative. An annex is also included, providing an information sheet with most relevant details on each of the pilot actions and advice cases.

As such, the compendium enables the dissemination of the results achieved and therefore, possibly, contributes to the wider replicability of the lessons learned by the participants in the initiative. The analyses in chapter II, in particular, highlight some key 'types' of obstacles and solutions that the cases have brought forward, and also illustrate how projects have dealt with the multi-level administrative and governance challenges associated with overcoming such cross-border obstacles. At the same time, by shining a light on the measures and steps undertaken by the pilot actions, the compendium may facilitate further inspiration for those seeking ways to resolve some obstacles which are common to many border regions.

In every section of chapter II the analyses of the obstacles and solutions identified within the initiative are divided into three main, broad categories. These are:

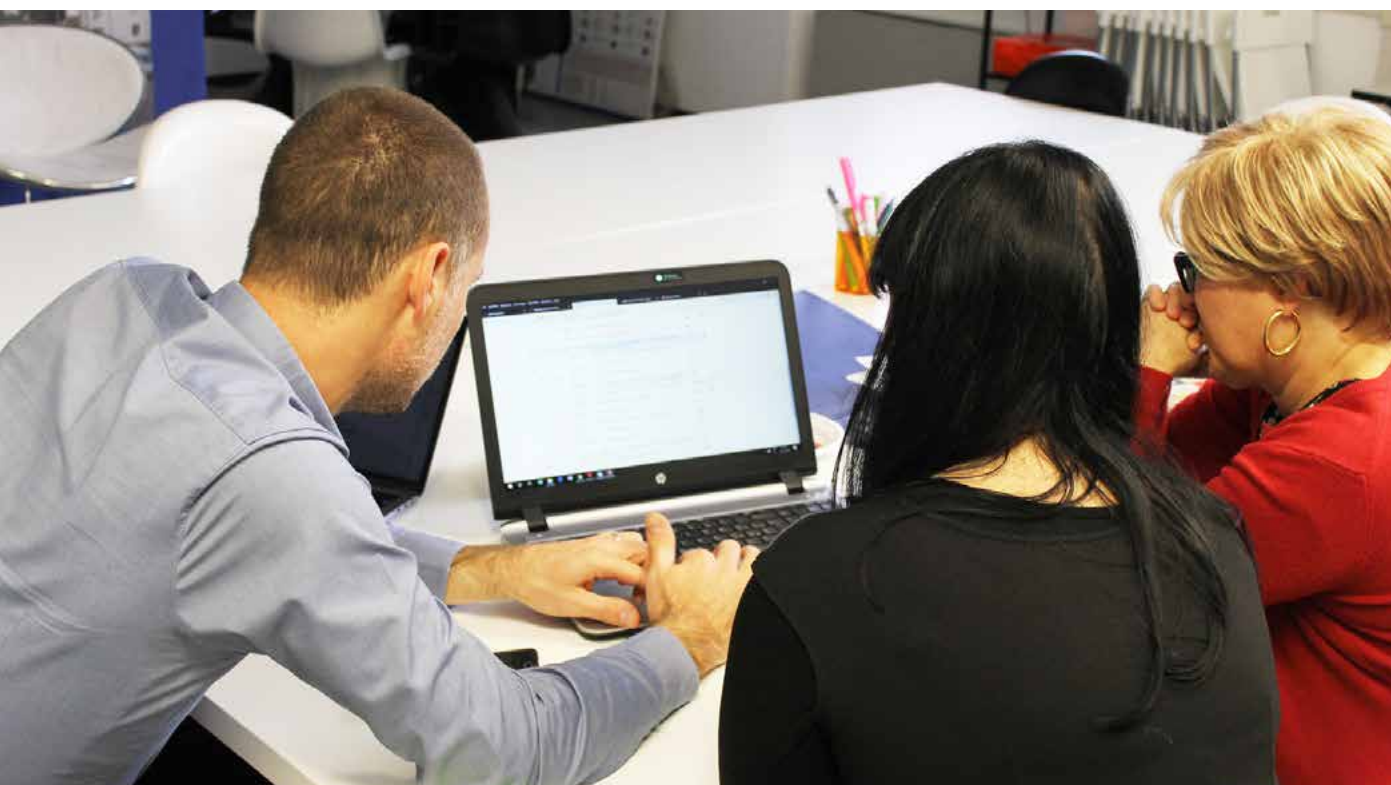
**1. Cases where both the obstacles and the proposed solutions are wholly or mainly of a legal or an administrative nature.** In such cases the proposed solution requires amendment of current provisions or procedures in order to overcome the impediment. Such amendments might be undertaken in just one or more countries, on one or more levels:

- a. in just one Member State<sup>17</sup>, by amending the law or regulations in just one of the States involved or by agreeing to mirror the law or regulations of one of them in the territory of its neighbour. Note that this option matches closely the proposed procedures in the draft regulation for an ECBM;
- b. by the parties on every side of the border, either concluding new joint bilateral or trilateral agreements or by amending existing mutual agreements, where these are in place, to adapt legal approaches and administrative procedures;
- c. at the European level, where changes to current EU law are required.

<sup>16</sup> It should be noted that pilot actions and advice cases are listed under the thematic area in which the application had originally been submitted by the applicants.

<sup>17</sup> Note that in states where the relevant legislative or regulatory competence is devolved to sub-national levels, the amendments may be required at this level in addition to, or in place of, national-level changes.





CB PUMP – cross-border public urban mobility plan (#IntegratedMobility)  
© EGTC GO

**2. Cases where the obstacles are wholly or mainly of a legal or an administrative nature, but where the proposed solutions are not themselves specifically legal or administrative.**

In such cases it has been identified that, in order to either overcome a legal/administrative barrier or to mitigate its negative impact, it is not necessary to change the legal framework to achieve more effective cross-border cooperation. Rather, solutions can be devised within the current legal framework.

**3. Cases where, on the basis of the analyses and work done within every pilot action or advice case, neither the obstacles nor, therefore, the solutions appeared to be of a legal or administrative nature.** In these cases, the initiative has highlighted that sometimes the regional stakeholders may not fully acknowledge, or be aware of, the whole legal and regulatory context for cross-border cooperation. This is not surprising given the huge complexity of the legal and administrative ‘overlapping’ for much cross-border activity. In such cases the initiative highlighted that, on the basis of a fuller analysis of the issues, stakeholders became aware that what had appeared to be a legal or administrative barrier was, in fact, a different type of barrier. Consequently, stakeholders developed a different, more informed, understanding of the real nature of the obstacles and were able to consider appropriate measures to improve cooperation.

Chapter II below includes one section for each of the six themes addressed by the pilot actions and advice cases. In each thematic section, a brief analysis of the cases collected in the framework of the pilot initiative for that theme is presented. This analysis is an overview of the pilot actions and the advice cases on the basis of the three-type categorisation set out above. This enables a better assessment of which possibilities regional and local authorities, practitioners and actors of cross-border cooperation have identified in order to solve the concrete obstacles they face. The analyses can, therefore, support an understanding of where the solutions lie, and specifically of whether: i. the issue requires the amendment of national laws or regulations currently applicable; ii. the amendment should be undertaken by national authorities from one Member State only or from both together in form of a joint agreement;

iii. the solution would involve changes at the EU level; or even iv. the issue does not require any new legal or administrative solution because overcoming the obstacle requires rather a better understanding of how to use the current legal and administrative frameworks more effectively.

It should be noted that pilot actions and advice cases originate from calls for proposals underpinning different final objectives: the pilot actions are projects implemented to solve an existing obstacle of a legal or administrative nature, while the advice cases are about documenting border obstacles of legal and administrative nature to be analysed. Therefore, the pilot actions focused on real solutions to be implemented in a period of 15 months on the basis of the actually available capacities of the project partners. On the other hand, advice cases present solutions that have been specifically proposed by experts on cross-border cooperation. Here, the proposed solutions are based on the knowledge of the legal framework by the expert involved. Although the experts considered the stakeholders' circumstances, the proposals were about optimal solutions. It should be noted that this may not fully take into account the actual resources or commitments of the stakeholders to act upon the advice, and to eventually apply the proposed solution.

A further aspect to take into consideration is that the solutions proposed by the experts in the advice cases depended on the specific and particular knowledge and expertise of every consultant. As such, the solutions proposed here are not to be considered as comprehensive or final, but rather as initial and indicative. The analysis proposed in every thematic section of chapter II is based on the main solutions proposed by the experts. With this in mind, the categorisation proposed is not to be understood as absolute, but rather an exercise of systematisation made by the editorial team, in order to present an ordered set of cases per type of solution to be implemented. This might facilitate comparisons, and trigger further processes to solve remaining obstacles in these borders under study, and perhaps in other European border areas.



Simplifying cross-border mobility of minors  
to carry out cultural or educational exchanges  
(#MinorsMobility)  
© Cerveiro Tomino Eurocity



	Category One	Category Two	Category Three
<b>Employment</b>	Advice Cases 11, 13, 14, 15, 16	Pilot Actions 1, 2, 3 Advice Case 15	Advice Case 12
<b>Transport</b>	Pilot Action 4 Advice Cases 17, 18, 19, 21, 22, 23	Advice Cases 19, 20, 22	
<b>Health</b>	Pilot Action 5 Advice Case 24, 25, 26, 27, 28, 29	Advice Cases 24, 25	
<b>Institutional Cooperation</b>	Advice Cases 33, 34, 36, 37, 39, 40	Pilot Actions 6, 7, 8, 9 Advice Cases 38, 41	Advice Cases 30, 31, 32, 35
<b>Multi-lingualism</b>		Pilot Action 10 Advice Case 42	
<b>eGovernment</b>	Advice Case 43		

Table 4: List of pilot actions and advice cases categorised according to the type of solutions proposed for each thematic area.

The table shows the cases categorised as follows, considering that some obstacles were composed of multiple aspects requiring more than one solution:

- 26 instances of the pilot actions and the advice cases require a solution of an administrative or legal nature (Category One), of which:
  - a) 9 instances require an amendment of the national law in at least one of the countries involved;
  - b) 15 instances are to be resolved via a bi- or tri-lateral agreement;
  - c) 2 instances require changes to current EU law;
- 16 obstacles can be solved within the current legal framework, or at least its negative impact can be mitigated, finding other ways to enhance cooperation (Category Two);
- 5 cases appeared not to present an obstacle of a legal or administrative nature. In these cases, stakeholders were able to consider appropriate measures to improve cooperation after having formed a different, more informed, understanding of the real nature of the obstacles (Category Three).

Chapter III outlines lessons learned and policy recommendations drawn from this categorisation of obstacles and solutions, allowing for an in-depth assessment of the analyses presented in chapter II.

# Chapter II: Solutions to persisting obstacles to cross-border cooperation

## **Labour mobility in cross-border areas: boosting economic growth**

Supporting the development of cross-border labour markets, thus increasing the number of available jobs in all regions, is a priority of the EU in order to fully develop the Single Market. As the Communication of the European Commission COM(2017)534 *Boosting Growth and Cohesion in European Border Regions* indicates, “labour mobility is the most important area affected by border obstacles”<sup>18</sup>.

The analysis of the obstacles under the theme of employment is presented according to the methodology described above. As a preliminary comment, it should be noted that this analysis shows that key barriers to progress in this area are often caused by incompatible or incomplete laws on the two sides of the borders which hinder cooperation. The cases have shown very clearly that, in those cases where amendments of the applicable legal or administrative context are necessary to enable effective cross-border cooperation, it is essential to engage policymakers at all levels. The cases indicate that this multi-level engagement is a significant challenge for border regions. Furthermore, the cases have highlighted issues related to the competence and capacity of local actors in dealing with cross-border cooperation projects. Even in circumstances where the legal and normative context is favourable to the implementation of joint projects, there have still been issues for stakeholders in developing effective cooperation within the current legal/administrative frameworks. Poor coordination among the cross-border stakeholders was an underlying factor in many of the case studies.

In total, in the framework of the *b-solutions* initiative there were nine obstacles identified in EU border regions under the thematic field of ‘Employment’. These obstacles reflect the issues mentioned in the Commission’s Communication on border regions: “completing an apprenticeship, having one’s skills and competences fully recognised, accessing job vacancies, identifying workers, obtaining legal certainty on fiscal issues, securing full social security coverage, obtaining professional insurance for medical staff, complicated procedures to obtain professional certificates and information provision”<sup>19</sup>.

Across the nine obstacles it is possible to identify three main types of issues:

- problems associated with the lack of effective mutual recognition of qualifications;
- difficulties linked with a lack of coordination between the actors involved to tackle problems when these arise; and
- uncertainties regarding fiscal issues.

18 [https://ec.europa.eu/regional\\_policy/sources/docoffic/2014/boosting\\_growth/com\\_boosting\\_borders.pdf](https://ec.europa.eu/regional_policy/sources/docoffic/2014/boosting_growth/com_boosting_borders.pdf), p. 11.

19 [https://ec.europa.eu/regional\\_policy/sources/docoffic/2014/boosting\\_growth/com\\_boosting\\_borders.pdf](https://ec.europa.eu/regional_policy/sources/docoffic/2014/boosting_growth/com_boosting_borders.pdf), p. 11.

Moreover, it must be noted that in many cases more than one of these types of issues were present: a lack of coordination was combined with difficulties for mutual recognition and/or fiscal matters. A key feature of most cases was that cross-border cooperation often faces multiple, intertwined barriers.

The obstacles identified and the solutions proposed or implemented have been categorised below following the three-type categorisation explained in the previous chapter (Methodology).

The following cases fall under “Category One” (cases where both the obstacles and the proposed solutions are wholly or mainly of a legal or an administrative nature):

- At the North Sea Port in Euregio Scheldemond (Belgium-the Netherlands) (Advice Case 11), complex rules on income taxation and social insurance standards cause great restrictions for staff management. The project identified that an amendment to the current Belgian-Dutch Tax Treaty to insert tax exemptions and give the North Sea Port a special status, as in the case of other tax treaties (Dutch-German 2012 tax treaty, Belgian-Dutch 2001 tax treaty or Regulation 883/2004), would facilitate the management of the port. The project also identified another alternative solution, namely a provision limiting the consideration of the time spent working in one country or the other, as in the Belgium-Luxembourg agreement.
- In Euroregio Rhein-Waal (Advice Case 13) and Euregio Rhein-Maas-North (Germany-the Netherlands) (Advice Case 14) the obstacle identified were the barriers to the employment and the completion of internships of non-EU citizens in the cross-border regions. Specific national conditions of entry and residence of third-country nationals for the purpose of study are regulated at the national level and lack specific references to address cross-border activities. A possible solution was identified for both cases, involving the facilitation of the employment of non-EU citizens across the border by involving the relevant

Dutch-German cross-border employment of students originally from outside the EU (#TalentWithoutBorders)  
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Juridical obstacles in establishment and financing of trans-national business incubator (#BusinessOpportunities)  
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authorities at national level in creating a new mechanism to overcome the hurdle. This mechanism would be prepared through a joint action plan, involving all the relevant actors in preparing a common decision by the competent authorities to enter into a bilateral agreement.

- the Duero-Douro EGTC (Advice Case 16) experiences difficulties when hiring Portuguese staff in Spain because of the national applicability of taxation and of national social security rules. To hire Portuguese staff without incurring cumbersome procedures the *b-solutions* expert identified that the Duero-Douro EGTC needs to request changes to the legal/administrative framework both on the national and on the European level. Specifically, the expert noted that to address the issue on the national level the Spanish national authorities should delegate the procedure for processing the required documentation for foreign citizens to the border municipalities, and should systematise the procedure to register foreign residents. On the European level, the expert noted that allowing for two different tax numbers to be obtained for the purpose of verifying expenditure would also contribute to alleviating the obstacle, but this would require some changes in the implementation of the EGTC regulation.

The following pilot actions and advice cases have been included in “Category Two” (cases where the obstacles are wholly or mainly of a legal or an administrative nature, but where the proposed solutions are not themselves specifically legal or administrative):

- Because of the many obstacles to cross-border mobility in dual education, the EGTC Eurometropolis Lille-Kortrijk-Tournai (Belgium–France) (Pilot Action 1) has produced a comparative legal-administrative study of applicable legislation in the cross-border territory. This has shed light on the difficulties faced by local students when looking to start an apprenticeship. It has also allowed the collection of material to raise awareness about the limitations for citizens. On this basis, the outcomes included the creation of a project proposal to run a field test to operationalise the cross-border mobility of the apprentices. This is to be carried out in a second phase and would help overcome several of the issues raised by the legal/administrative barriers. It should be noted, though,



that the project did highlight that, in the future, the introduction of a derogation from national rules or the signing of a framework agreement to introduce a system of equivalence in the different national legislative frameworks would be desirable. As such, the pilot action might require changes to the legal/administrative framework and thus be included as a “Category One” case in the longer run.

- Unclear guidelines on taxation result in double taxation or long and cumbersome procedures for tax refund between the Italian border region of Friuli Venezia Giulia and Slovenia (Pilot Action 2). Having identified the difficulties faced by cross-border workers, the Region Friuli Venezia Giulia and the Employment Service of the Republic of Slovenia have been able to use their current competences to test a single tax declaration form which can be used both by Italian and Slovenian companies. The module was positively received by the companies and discussions are taking place to use the form for the next tax return in 2020, even on a larger scale. The results have also helped to draw attention to other associated issues such as the different timing for tax payments in both countries and non-harmonised handling of some income items (i.e. travel expenses); these additional issues also have a negative influence on opportunities for people to work in a cross-border context. While these adaptations by the partners, within the current legal/administrative framework, have provided a positive response to the current barriers, the Region Friuli Venezia Giulia believes that to allow the formal adoption of the new tax declaration form as standard it would be necessary to amend the legislative framework, especially at EU level. As such, similarly to the previous case, this pilot action has found solutions to overcome some obstacles on the basis of local changes in practice and operation, but further changes to the legal framework may be needed to secure this progress. Therefore, the case might also undergo a change in its categorization (Category One) on the basis of future developments.
- The Province of Limburg (NL) tackled the very demanding procedure for the mutual recognition of diplomas for certain professions, which discourages the mobility of workers across the German-Dutch border (Pilot Action 3). The project partners compared procedures enabling work in the neighbouring country for highly demanded professions — in this particular case the focus was on second level nurses, physiotherapists, and secondary school teachers. It was identified that the negative impact of these barriers could be mitigated by developing specific tools to improve knowledge and raise awareness. This involved the development of roadmaps and factsheets illustrating the correct procedures for recognition of the diplomas of these professions both in Germany and in the Netherlands. Finally, this is a very useful tool to inform citizens and to facilitate cross-border employment.
- Citizens in the neighbouring regions between Poland and Lithuania (Advice Case 15) have been discouraged from considering work in the neighbouring country because the current legislative framework does not contain any provision that clearly regulates cross-border employment or related social security issues. It was assessed by the adviser that there were two concrete steps the cross-border partners could take to help address this issue. Firstly, the creation of a *Border Information Point* to explain citizens the administrative procedures in the respective neighbouring country. And, secondly, the establishment of a bilateral agreement for specific coordination rules (considering this additional step towards the solution, this case would also fall under Category One). It was felt that these steps would help boost cross-border employment in the territory of the Borderland Association Nasza Suwalszczyzna. The adviser also noted that a further solution could be the establishment of an independent social security system exclusively for cross-border workers, similarly to the scheme of the *Joint Sickness Insurance Scheme* initiated by the European Union.

One case, finally, falls under “Category Three” (cases where, on the basis of the analyses and work done within the pilot action or advice case, neither the obstacles nor, therefore, the solutions appeared to be of a legal or administrative nature):

- The Lazdijai District Municipality (LT) on the Lithuanian-Polish border (Advice Case 12) plans to create a cross-border business incubator in cooperation with Polish local authorities. On the basis of the advice of this project, it became evident that there was a lack of clarity regarding the detailed legal and administrative framework for such a project, and some confusion about the nature of the actual or perceived obstacles to cooperation. Moreover, the advice identified that the current framework of joint, bilateral agreements and EU legal instruments does in fact provide a sound basis for taking the project forward. Thus, the adviser noted that progress could be achieved by using existing provisions for flexibility and joint projects, which are already provided for in the existing Polish-Lithuanian Agreement of 1996, and in using current EU legal instruments to establish a European Grouping of Territorial Cooperation (EGTC) or a European Economic Interest Grouping (EEIG). The creation of such a legal entity, within the existing bilateral agreements, would allow for the cross-border business incubator to enter into life.

In summary, the following can be noted from the nine ‘Employment’ cases:

- In five cases, a change of the currently applicable law is necessary to allow actors in border regions to pursue measures to encourage employment. Out of these, in four instances the involvement of national authorities from both Members States is necessary, while in one case, amendments to national procedures just in one country would be enough to alleviate the difficulties because of the obstacle. In one of these cases, changes to the relevant EU regulation is being proposed to facilitate the management of the EGTC Duero-Douro.
- In other four cases, improving the cross-border labour market depends principally on the capacity of local authorities to find alternative solutions within the already available legal framework to enhance their cross-border cooperation. Here, neither legal nor administrative changes were needed to foster better cooperation across the border, as many of the negative impacts of legal and administrative asymmetries can be mitigated by solutions that can be developed and applied within the existing legal framework.
- In one case, the lack of knowledge of the stakeholders involved led to a misconception of the nature of the obstacle. In this case the normative context was not found to be the obstacle, but rather to be already sufficient to enable the specific cross-border cooperation project envisaged.

Taking a more general view of the ‘Employment’ theme, and looking specifically at the pilot actions submitted under this thematic area, it is possible to discern a set of common features that are needed to enable the identification of concrete solutions. It can be noted that successful cooperation appears to be more likely if the following apply:

- the partners have, or can elaborate, a sound, evidence-based comparative analysis of the issue causing the legal or administrative impediment (this would also be essential to inform a clear definition of a legal/administrative solution);
- the stakeholders take positive, concrete steps to synchronise their measures; and
- the partners work together to try, where possible, to reduce the complexity and scope of the analyses and the solutions.

In general, as a reading of the detailed information sheets in the annex will show, the solutions proposed to the advice cases and those solutions implemented by the pilot actions provide valuable examples of measures to overcome common impediments to cooperation. These measures could be adopted in other border regions, if they are adapted to local conditions. The solutions demonstrate the potential areas where joint steps can be taken to enable citizens in EU border regions to work and to hire staff in cross-border contexts in optimum conditions, thus contributing to achieve a more fully integrated labour market.

Regardless of the technical issues involved, yet the case studies clearly show how these solutions still depend fundamentally on the willingness and capacities of local policymakers

to understand the specific local situation and then to develop tailor-made arrangements. With regard to overcoming legal and administrative obstacles, all proposed solutions required stakeholders to create innovative exceptions to the usually applied legal or administrative framework. In this sense, often solutions were to be implemented through special provisions, *ad-hoc* agreements, the creation of innovative mechanisms, or derogation from regular procedures.

There are no off-the-shelf solutions and the development of such tailor-made arrangements is time consuming and requires substantial resources. As such, it is often the case that those stakeholders which already enjoy a strong level of interaction, trust and joint resources with their neighbouring authorities, are the ones more capable to create cross-border environments in which the solutions can be developed and applied, and the single labour market more fully realised. On the other hand, this means that the citizens in those border regions where there are more limited capacities for developing and implementing strategies to overcome hurdles in labour mobility and job creation, will continue having fewer opportunities to participate in the cross-border labour market. As a consequence, the risk to face relative inequality and disadvantage is higher where cross-border cooperation is practiced less. To counter such trend, regional and local authorities should take specific actions to overcome such obstacles, and more political support should be granted from national and European authorities here to improve collaboration across the borders.

In this context, the cases also demonstrate that addressing the capacities and competences of local actors is necessary if obstacles are to be understood properly and, if appropriate and implementable, legal or institutional solutions can be developed and applied. For this reason, capacity-building and raising awareness of cross-border cooperation, and the instruments which foster it, should be a priority for European institutions and other promoters of cross-border cooperation.

Solutions presented in the ‘Employment’ case studies of *b-solutions* also demonstrate the importance of the involvement of politicians and policymakers at all levels: European, national, regional and local. The European and, particularly, the national level of policymaking and legislative action are particularly relevant for those solutions that need an amendment of the current normative framework. Thus, specific measures to promote mutual learning between the different levels of governance are crucial. The present compendium offers an insight for stakeholders at all levels, with the detailed information sheets in the annex providing valuable knowledge to inform improved collaboration on cross-border labour mobility issues. The pilot actions in particular, as they were able to take some steps to implement solutions, have shown positive outcomes through both the creation of common tools and also the collection of valuable and focused information in a cross-border context.

For the Single Market to be really effective, cross-border regions must be better integrated. For this to occur, more support is needed for regional and local authorities to be able to make agreements and collaborate more strongly. It will also be necessary to ask for derogations and special provisions in national regulations so that border regions become attractive hubs for seamless labour market possibilities.

## How to avoid stopping at the border: transports for a better connected EU

Granting citizens of border regions access to public transport services to allow them to move easily in a cross-border area is fundamental to enable people to take full advantage of the potentials and opportunities of the region. Too often, public buses stop at national borders. Cross-border transport projects are complex to start and to operate.

On the basis of the analysis of the cases submitted under *b-solutions* and categorised following the approach outlined in the “Methodology” (chapter I), one essential element to enhance the establishment of cross-border networks of public transports, is the mobilisation of competent actors on a multilevel scale (national, regional, municipal). As a matter of fact, it was evident from these cases that even small-scale projects for public transport networks developed by local stakeholders require the approval and engagement of national authorities.

The Communication of the European Commission COM(2017)534 *Boosting Growth and Cohesion in European Border Regions* points out that in many cases there are multiple difficulties when connecting two or more transport systems, making it particularly complicated for local authorities to overcome obstacles in this regard. Notwithstanding the many efforts undertaken at EU level dedicated specifically to cross-border needs<sup>20</sup>, a range of difficulties persists in making harmonisation and the coordination of technical and legal standards difficult to achieve.

As to the obstacles analysed in the course of the implementation of *b-solutions*, it is at the local level where most difficulties arise. The principal reasons for such obstacles appear to be the following:

- the existence of national laws preventing local authorities to develop transport solutions which go beyond the national territory;
- the multi-level division of competences in the field of transport;
- the complexity of the administrative framework which makes coordination among many stakeholders far more complicated.

This is demonstrated in the analysis of the eight obstacles selected under the thematic area of ‘Transport’. The non-alignment of competencies results in a lack of coordination among stakeholders on the two sides of the border, which is the most frequent cause of the obstacles investigated. This, in turn, causes delays and creates far greater challenges for those seeking to implement such projects.

Among the pilot actions and advice cases selected in the course of the two calls for proposals, some present a legal/administrative procedure as a solution to the obstacles, falling thus in “Category One” of the analysis of the types of obstacles and the proposed solutions. The cases in this category are set out briefly below:

- The restrictions to setting up a bus service operating between the three urban centres of Gorizia, Nova Gorica and Šempeter-Vrtojba (Pilot Action 4) have been addressed in the project by implementing a solution of a legal nature, namely by making a joint agreement between the competent authorities on both sides of the border. The roadmap to preparing this agreement included the following steps:
  - conducting a detailed analysis of the cross-border mobility in the territory;
  - involving, and engaging with, the respective competent authorities in both countries to make them aware of the needs of the population in the cross-border area; and

<sup>20</sup> See initiatives within the Connecting Europe Facility (CEF). See <https://ec.europa.eu/futurium/en/border-regions/transport> for more information.



- preparing an agreement for signature by the Ministry of Infrastructures of the Republic of Slovenia and the Italian Region Friuli Venezia Giulia. It is anticipated that this agreement is to be signed in the very near future.

CB PUMP – cross-border public urban mobility plan  
 (#IntegratedMobility)  
 © Mateja Pelikan



Under this bilateral agreement, the transport operators will be enabled to implement the cross-border bus line and to solve other minor incongruences, compliant with EC Regulation 1073/2009.

- In the case of the River Minho EGTC (Advice Case 17) and, with a partially similar case, the municipalities of Chaves and Verín (Advice Case 23), both on the border between Portugal and Spain, the partners highlighted the difficulty (or virtual impossibility) of setting up bus lines covering the cross-border territory because of complex administrative procedures. In particular, both the River Minho EGTC and the municipalities of Chaves and Verín are prevented by Regulation (EC) 1073/2009 which forbids cabotage operations in urban centres or in the surrounding areas, unless a bilateral or multilateral agreement on further liberalisation of the service is concluded between Member States. Furthermore, they also have to adapt the project to regulations on international road transport, and ultimately overcome the complexity of the legal framework to be applied by involving a great variety of actors holding competence. Detailed advice regarding possible roadmaps to reaching legal and administrative solutions was provided in both cases.

- In the territory of the Eurodistrict Strasbourg-Ortenau EGTC (Advice Case 18) (France-Germany), citizens must apply multiple air quality certificates (“vignettes”) on their vehicles to comply with different standards in Germany and in France. To ease the current situation of citizens in the cross-border area, in the absence of unified European mandatory system, it was advised that a common legal framework for the application of air quality certificates should be developed by the states to introduce mutual recognition. To do this, the Member States would need to modify their national legal framework. Alternatively, it was advised that, if a general amendment would not be approved, stakeholders in cross-border regions could request a specific exception or derogation, although as the competence lies at the national level this would still require amendments to national laws.
- The French Riviera Chamber of Commerce and Industry – CCINCA (Advice Case 19) is responsible for planning public maritime transport service on a coastal section between France and Italy. However, because of the limitation of the competences of local authorities outside national boundaries in the field of maritime transportation, projects have been blocked, preventing cross-border accessibility and modal shifts in transport. It was advised that the set-up of a public maritime cross-border transport service could be achieved on the basis of an amendment to the current French legislation in order to allow local authorities to regulate, manage and finance such a project. Also, as a more concrete step within the competence of the cross-border partners, the adviser suggested that the creation of a European Grouping of Territorial Cooperation would facilitate the coordination of the planning phase, as well as the management of finances through European Regional Development Funds (such measure falling under Category Two).
- The Autonomous Port of Strasbourg (Advice Case 21) (France-Germany) is not interoperable by French and German trains due to the fact that safety and training standards are not mutually recognised. Different legal standards on the functioning of trains apply in each country. This prevents the Autonomous Port of Strasbourg from full connectivity of French and German trains. European directives already enhance the interoperability of the rail system in the EU, but this legal framework is not currently in effect at the Port of Strasbourg as the German side has not transposed the directive yet. An alternative solution advised in the project was to make an amendment to the current French national law and to include this segment of the track under the “border section” already envisaged by this law, thus allowing for safety certifications from the neighbouring country to be recognised. In addition to the need for such an amendment to the legal framework, actions of an administrative nature are also required to resolve the obstacle. One option proposed would be that the French Ministry for Ecological and Solidary Transition and the Regional Ministry for Transport of Baden-Württemberg could integrate rail freight into a cross-border agreement to enhance interoperability, and thereby could make provisions for the competent safety authorities to allow for mutual recognition (for example, in relation to detailed issues such as requirements for rear train lights).
- As the competent national authorities do not recognise foreign diplomas for civil engineers, the planning authorisation to construct a piece of infrastructure involving the three bordering countries in the Euroregion Nisa (Czech Republic-Germany-Poland) has been delayed since 2004 (Advice Case 22). To facilitate the effective construction of a cross-border bridge uniting Czech Republic, Germany and Poland, a long-term solution set out by the adviser would involve a joint agreement in respect of the project among competent authorities from each country. The implementation of such a trilateral agreement could also address other related issues and significantly contribute to speed up the whole project. An alternative, short-term solution could involve creating a multi-national team of professionals with each ‘nationality’ from within the team being responsible for obtaining authorisations and separate individual national construction permits required in their respective ‘home’ country. This short-term solution would fall under Category Two, as it would no longer require legal and administrative measures by competent authorities to resolve the obstacle.

In the thematic field of transport there is one example of a case where the obstacle is of a legal or administrative nature, but the solution proposed by the expert does not require a

legal/administrative solution. This instance, falling under “Category Two” of the analysis of the types of obstacles and the proposed solutions, is the following:

- The Ministry of the German-speaking Community of Belgium (Advice Case 20) is interested in setting up E-bike sharing stations in the cross-border area between Germany and Belgium. To implement the infrastructure of a German company in Belgium, the expert consulting on this case suggested to follow regular procedures of internationalisation of the company, starting with establishing the company in Belgium. This would allow to apply Belgian law and thus overcome differences in legal regulations and tax law management. This type of solutions shows how cumbersome cross-border interactions can be, increasing administrative burden and costs in daily interactions. The need to implement a foreign company on one’s neighbour region is something that would not occur for a company, on a non-border territory, exploring its vicinity markets.

In general, the following summary observations can be made regarding the cases on Transport:

- In most cases, a change of the currently applicable law is necessary to allow actors in border regions to pursue measures to accomplish projects in the field of transport. This demonstrates that legal obstacles are *de facto* hampering mobility in cross-border regions.
- National authorities from both/all Members States are required in various cases to intervene by making specific agreements (Pilot Action 4, Advice Cases 17 and 23) or by introducing amendments to the current legal framework on both sides of the border (Advice Case 18).
- Amendments to national procedures only in one country, as addressed specifically in the proposed ECBM Regulation, was found to be sufficient in itself in relation to Advice Case 19. In another case (Advice Case 21), legal solutions involving the change of one Member State’s national provisions and also the signing of a bilateral agreement are both presented as possible solutions to a complex mixture of intertwining factors causing the obstacle.
- In two cases (Advice Cases 20 and 22), short-term solutions set out involved to pursue projects implying joint infrastructures focused on utilising legal instruments relating to already existing national law (Advice Case 22) or procedures of internationalisation (Advice Case 20).

In light of the broader analysis of the cases, it is clear that most of the solutions are complex, usually requiring a staged approach to overcoming obstacles, requiring multiple phases that gradually follow a critical path via a well-planned programme of actions. The evidence indicates that key success factors include the following:

- a strong base analysis of the local transportation needs (see Pilot Action 4);
- the validation of local public transportations plans by national authorities (see Advice Cases 17, 23);
- prior cross-border recognition of authorisations and procedures, such as (e.g.) the safety certifications (see Advice Case 21); and
- engagement of a broad cross-border group working on a specific project before obtaining relevant permits (Advice Case 22).

The need for effective engagement and involvement of competent actors, at different administrative levels, is a common feature in all cases. However, due to the complex division of competences, which are reflected in the types of obstacles, there is no ‘off-the-shelf’ response available and tailored actions need to be developed for each case in order for the envisaged project to be operationalised (Advice Cases 19, 21 and 22). Finally, the cases have highlighted that alternative tools aiming at stabilising the proposed solutions in the long term are also foreseen, this including options such as the establishment of a European Grouping of Territorial Cooperation that are within the competence of the cross-border partners (Advice Case 19).



It is widely accepted that to ensure European Integration, cross-border mobility is essential. To fulfil the aspirations for integration, stakeholders at local and regional level in border regions must be enabled to operate cross-border transport and mobility within a favourable legal framework and arrangements. Legal frameworks applicable to public transport in cross-border regions — given their nature of “proximity transport” — should not be so complex and strict as those applicable to international public transport. As has been observed through the analysis of the eight ‘Transport’ cases presented under the *b-solutions* initiative, the role of national authorities is determinant and therefore crucial when it comes to cross-border transport projects. This constraint applies almost regardless of the scope or scale of the cross-border initiative. Even for the establishment of an urban bus line, a bilateral agreement involving national authorities is required in the case of a journey which goes beyond the national boundaries (Pilot Action 4, Advice Cases 17 and 23). This demonstrates the lack of proportionality between the projects in cause — transport at local/regional level — and the applicable legal tools — national or international —.

Thus, both the administrative burden of small transport projects and the level of resources needed to implement them grow exponentially in a cross-border context and easily overwhelm local administrations. The net result is the prevention of connections with neighbouring communities and barriers to the planning of efficient infrastructures. The cases in this section show obstacles which are undoubtedly faced in many other border areas in the EU, and it is hoped that the proposed solutions and approaches might inspire more systematic solution-focused approaches in the future.

Speedy mutual recognition of qualifications for healthcare professionals (#HealthcareWorkers)  
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## Healthy across borders: solving hurdles in the provision of health services

The provision of health care is a particularly sensitive thematic area, as accessibility to health-care services directly impacts citizens – and it is particularly problematic for them when access to services in the neighbouring state is denied or limited. As such, EU-level steps have been taken to enhance complementarity of health services in border regions with European legislation specifically addressing this issue in respect of cross-border regions. The publication of a targeted analysis in this particular policy field, investigating potential future developments in cross-border health collaboration, is a further relevant effort in this sense<sup>21</sup>.

The analysis of the cases submitted under the thematic area of ‘Health, including healthcare emergency services’ in the framework of *b-solutions* shows that the adoption of new legal provisions or the modification of the existing ones is an essential step to achieve sustainable and durable solutions.

This should be accompanied by the activation of new models of multi-level governance and the adoption of inclusive population-based approaches.

In the framework of the *b-solutions* initiative one pilot action and six advice cases were selected under this thematic area.

The obstacles identified are in line with the issues highlighted by the European Commission’s Communication *Boosting Growth and Cohesion in EU Border Regions*, pointing out that cooperation in the healthcare field in border regions is mostly prevented by difficulties related to the reimbursement of costs of health care services received in the neighbouring country, to complexities arising in relation to consultations with specialists in cross-border contexts, and to different approaches in terms of technology used to share information with and about patients. In addition, differing legal standards and non-aligned clinical governance arrangements also hamper emergency and rescue services<sup>22</sup>.

Through the observation of the obstacles in the seven projects selected, it becomes clear that the main type of cross-border barriers to cooperation, being caused by legal or administrative aspects, are related to the following aspects:

- Firstly, issues concerning the provision of certain services and the reimbursement of the medical costs, exacerbated by a lack of coordination between relevant actors;
- Secondly, the existence of burdening procedures regulating the recognition of qualifications and the hiring of foreign medical staff<sup>23</sup>.

The solutions proposed or achieved under the health theme, are principally of a legal or administrative nature and, as such, fall under “Category One” (i.e. cases where both the obstacles and the proposed solutions are wholly or mainly of a legal or an administrative nature):

- The Consortium of the Working Community of the Pyrenees (Spain-France) (Pilot Action 5) reported limitations on the intervention of medical professionals in the case of emergencies across the border. Through the active involvement of all competent authorities from both countries, the partners have achieved bilateral agreements regulating, without distinctions of national boundaries, the operation of doctors, paramedics and nurses in the case of emergencies on the territory of these cross-border regions. The strong and evidence-based analysis of existing cross-border health agreements between France and its other neighbours was noted as having great relevance for the successful implementation of the strategy

21 See the publication Study on cross-border cooperation. Capitalising on existing initiatives for cooperation in cross-border regions : Cross-border.Care : final report – Study available at <https://op.europa.eu/en/publication-detail/-/publication/52088b97-3234-11e8-b5fe-01aa75ed71a1/language-en>.

22 [https://ec.europa.eu/regional\\_policy/sources/docoffic/2014/boosting\\_growth/com\\_boosting\\_borders.pdf](https://ec.europa.eu/regional_policy/sources/docoffic/2014/boosting_growth/com_boosting_borders.pdf), p. 13.

23 These particular cases are mentioned under the thematic area of employment in the Communication by the European Commission, but in the framework of *b-solutions* they have been considered in the category of health.

proposed by the applicants. This core preparatory work served as a solid basis upon which the project partners elaborated a plan leading to an effective solution of legal nature.

- The Municipality of Woensdrecht at the Belgian-Dutch border (Advice Case 24) and the French Regional and Health Agency Grand Est at the French-Belgian border (Advice Case 28) face regulatory obstacles that are preventing ambulances from crossing the border. In both cases, however, there are already special agreements regulating the provision of emergency services in the cross-border areas. The cases concluded that the introduction of small amendments to these existing agreements, reflecting the current hindrances, would be necessary to address persisting obstacles. Moreover, with reference to the case presented by the Municipality of Woensdrecht (Advice Case 24), it was also advised that the partners could benefit from establishing a permanent “ambulance coordination office” to both create awareness about the existing agreement and, also, to contribute to addressing uncertainties about the situation with regard to cross-border activities.
- In the twin city Valga (Estonia) – Valka (Latvia) (Advice Case 25), differences between national legal frameworks hamper access to healthcare across the border. Differences in costs of healthcare services in both countries are one of the root causes. Administrative arrangements related with reimbursements act as a deterrent to access for citizens. In response to this, the cross-border hospital has been advised to seek to enter into a joint agreement with the National Health Funds from Estonia and Latvia to adapt the cost price list to the actual needs of patients, and to specifically address the particular cross-border access needs in the region. Furthermore, to enhance coordination, it was also advised that the hospital administration should also be shared between authorities from both countries. Finally, in order to secure a more sustainable basis for overcoming administrative obstacles and meeting the needs of citizens from both Estonia and Latvia, it was advised to seek a special cross-border status for the hospital to allow for a financing procedure which responds best to the needs of the facility. In particular it was noted that a lump-sum approach to joint cross-border financing could facilitate the inclusion of the costs of patient information exchange and language accessibility – this particular aspect falling under Category Two.
- The Cerdanya Hospital EGTC (France-Spain) (Advice Case 26) has experienced significant challenges to the creation of stable cross-border teams of hospital professionals because of lack of recognition of diplomas across the border. Such teams are necessary for the proper functioning of the hospital. A specific proposal was set out in order to speed up the procedures for approval of contracting French doctors. This would involve an amendment to Spanish national law that would introduce a deadline by which the Spanish Ministry of Education and Vocational Training would have to provide a reply to any request with further provisions to allow that. In the absence of a reply within a designated “non-response period”, the hospital could proceed to hire the doctor in question. An alternative amendment put forward envisaged the delegation of the recognition of diplomas to the local medical association, thus moving the decisions closer to the region, reducing the bureaucratic burden of recruitment and maintaining crucial hospital staffing levels in a cross-border context.
- The Kalvarija Municipality (Advice Case 27) indicates the lack of specific legal provisions foreseeing cross-border provision of water as a main obstacle to collaboration. The competent authorities in this cross-border area between Lithuania and Poland are not able to create a joint cross-border water supply network. The adviser who consulted the Advice Case considered that it would be required a bilateral agreement involving competent actors in the two Member States in order to address this issue and to develop a joint territorial water network. This joint approach could include provisions for the granting of permits for a neighbouring municipality to implement licensed activities in the cross-border territory. This case shows the lack of proportionality between the project — water provision at local/regional level — and the required legal solution — an international agreement —.

- In the Euroregion Neisse-Nisa-Nysa (Czech Republic-Germany-Poland) (Advice Case 29), differences between national legal frameworks hamper access to healthcare across the border, further exacerbated by different costs of healthcare services in both countries. The proposed solution in this case envisaged the introduction of amendments to the existing Czech legislation in order to include provisions to regulate the reimbursement for medical care abroad. This should be done jointly with measures based on multi-level governance structures and bilateral agreements which involve the relevant stakeholders from the Czech Republic and Germany. The Directive on *Cross-Border Healthcare and Patients' Rights* offers an instrument to do so with the tool of Prior Authorisation. This should be improved with the introduction of technical facilitative measures to promptly inform the national healthcare companies when a patient is in need of access to the closest hospital that is located on the other side of the border, to be applied in life-threatening and emergency. Provisions concerning reimbursement in such situations should be included in the amendments to the national laws.

In summary, the following general points can be observed from the analysis of the cases submitted under the thematic area of 'Health, including emergency services':

- In five of the cases presented, the proposed solution could be achieved through the signing of new bilateral agreements involving both Member States (Pilot Action 5, Advice Case 25 and 27) or by introducing amendments to already existing bilateral treaties (Advice Cases 24 and 28).
- The modification of the legal framework in only one of the two countries was proposed in two cases (Advice Cases 26 and 29), whereby in the latter case a bilateral agreement is also necessary.

It is interesting to underline that those proposed solutions point mainly to legal solutions at national level for obstacles experienced at a regional or local level. Beyond the main solutions of a legal nature, further recommendations were also suggested by the experts, as the complexity of the obstacles analysed often requires various types of actions to be pursued in parallel. Key recommendations included the following:

- It is essential to raise awareness on the legal framework regulating the management of emergency services across the borders. As such, the creation of coordination points and the introduction of specialised trainings (Advice Case 24) are seen as additional, supportive and necessary tools.
- Furthermore, the introduction of new models of governance for healthcare providers would be recommended (Advice Case 25), following a more cross-border logic in the management of the specialised structures, as this approach is effective in tackling cooperation issues because they involve the active participation of all interested parties.

The identified obstacles and proposed solutions in these cases point to two fundamental steps to improve cross-border cooperation practices related to health. Enhancing cooperation among stakeholders across the border is essential. At the same time, it is also important to increase awareness of the hindrances faced by local and regional authorities in granting fair and real access to health care services for citizens in border regions.

The analysis of these cases shows that the solutions at the disposal of local and regional authorities in border regions, wanting to provide health services, are lengthy and complex to achieve. The successful signature of bi- or multilateral agreements, or their amendment, requires the engagement and animation of a much wider network, the involvement of multiple competent authorities and the mediation between two (or more) national frameworks, as shown in the Pilot Action 5, and Advice Cases 24, 25, 27 and 28.

Additionally, some cases show that the amendment of national legislation to include provisions targeting the needs of citizens in border regions is necessary. If hiring a doctor may take up



to six months (Advice Case 26), and if citizens are reimbursed only for a small part of their medical expenses (Advice Case 29), cross-border health care provision is failing to deliver adequate treatment and service access to citizens.

These cases highlight that the current fragmentation of services in the field of health care in border regions is still caused by the prevailing dominance of the national frameworks within which healthcare operates, and this situation is to the direct detriment of citizens in the border regions.

In conclusion, the cases would seem to demonstrate that sustainable solutions are to be found by partners pursuing:

- multi-level governance approaches;
- measures to raise knowledge of and skills in cross-border cooperation; and
- population-based strategies (i.e. strategies based on the cross-border populations) to favour access to healthcare services and public health provision.

The obstacles illustrated in the cases reported in this section are almost certainly familiar to other border regions. We hope that information provided in this compendium may be useful for others in finding their own solutions and approaches.



Cross-border Healthcare  
#PatientsReimbursements  
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## Smooth borders: facilitating institutional cooperation

Individuals and organisations operating in border regions often face difficulties in dealing with complex, cumbersome and unclear legal and administrative procedures set by the neighbouring states.

The analysis of the cases under the theme of Institutional Cooperation shows that:

- amendments to the current legal or administrative frameworks are often necessary to facilitate cross-border interaction among institutions.
- However, some improvements can be found also within the current legal framework – for example by promoting better exchange of relevant information.
- Often, raising awareness of the full legal and regulatory context for cross-border cooperation could be helpful to minimise the impacts of these cross-border hindrances.

Cooperation among relevant institutions at different levels becomes more complicated taking into consideration the peculiarities of cross-border contexts, as legal and administrative frameworks and institutional practices are usually structured on the basis of internal, nationally defined needs and interests. Yet, institutional cooperation across national borders is fundamental to cross-border cooperation. Institutions — either public or not — from neighbouring countries at various levels must work jointly in order to start cooperative projects across the borders, and sometimes new, *ad hoc* cooperation structures are set up specifically to facilitate collaboration between institutions.

The Communication of the European Commission COM(2017)534 *Boosting Growth and Cohesion in European Border Regions* highlights that despite the existence of a well-established European legal framework, issues can still arise even in areas addressed at the European level as Member States still have certain flexibility when transposing European provisions in their national legal and administrative frameworks. The operation of different frameworks within a cross-border region often results in additional and disproportionate costs for administrations in the border regions, and it also has negative repercussions for citizens of the border regions.

The legal and administrative obstacles identified through *b-solutions* confirm that the principal factors causing barriers or hindrances to effective action are the following:

- the legal framework(s) regulating a specific issue are more complex and challenging when in a cross-border context;
- there is a greater necessity in border regions to involve actors at multiple levels of governance;
- the divergence in legal norms across borders can make coordination of projects extremely difficult or even impossible;
- coordination amongst the stakeholders is particularly important, and yet the challenges of the border can itself make such coordination harder, and less likely to be effective;
- many of the technical methodologies for handling very similar or identical matters are not harmonised across the border;
- uncertainties arise when legal frameworks do not contain clear indications on relevant fields for cross-border cooperation.

In these cases, the level of complexity which must be overcome in order to resolve the obstacle is extremely challenging and can be overwhelming, and uncertainty as to how to identify the appropriate legislation or procedure leads to those actors involved in cooperation having considerable doubts about the specific legal and administrative context for cross-border projects.

Sixteen different obstacles in the field of institutional cooperation have been selected in the framework of the *b-solutions* initiative. Of these, the cases under 'Institutional Cooperation' where it was found that the amendment of current laws or procedures was necessary to overcome the impediments (Category One), are set out below:

- Cumbersome procedures limit the organisation of cross-border exchanges of minors between schools in Spain and Portugal, as reported by the Galicia-Norte de Portugal EGTC (Advice Case 33). It was advised that the administrative obstacles could be solved by adapting national provisions to the exceptional context of a cross-border region, and specifically by simplifying some of the administrative provisions contained in the national frameworks. Moreover, it was also proposed that such amendment to the legal and administrative frameworks could be accompanied by an *ad hoc* pilot authorisation model for the cross-border area which would allow minors to move freely on a regular basis, when in the context of school activities.



Lithuanian - Latvian institutional cooperation on cross-border groundwater management (#GroundwaterManagement)  
© Latvian Environment, Geology and Meteorology Centre

- The Galician Food Quality Agency (AGACAL) (Advice Case 34) has hesitated to implement the good practices on wastewater management developed in the course of the Interreg project Wetwine because Spain, France and Portugal have different provisions on wastewater management and re-use — moreover these are currently being updated. To overcome this issue it was advised that there would need to be some coordination among the three national legislators to update the respective norms in each country. While this issue may be addressed by new European regulations, as an interim measure it was advised that the current norms should be adapted to be 'levelled up' to be harmonised with the most updated among the three national systems. Such harmonisation across the three countries would allow for the technical implementation of the project.

- The overlapping of competences in the field of child protection and youth welfare makes coordination among the German and the Dutch authorities difficult, as identified by the municipality of Winterswijk (Advice Case 36). It was noted that a new cross-border agreement to foster communication and cooperation on youth welfare between the competent authorities could be drafted, as already allowed for by the Anholt Treaty of 1991 between Germany and the Netherlands. It was also noted that the Hague Convention on Parental Responsibility and Protection of Children can serve as a basis in this sense.
- The differences in the division of competences in spatial planning between the Netherlands and Belgium have blocked the construction of pipelines across the border between the Province of East-Flanders and the territory of Euregio Scheldemond (Advice Case 37). The solution suggested to resolve the obstacle is to amend already existing regulatory tools of the Benelux Union. The amendment could facilitate consultations for spatial planning projects in the cross-border area. Additionally, the creation of a consortium consisting of key actors would ensure that the amendment takes into consideration the specific needs of this particular project.
- The Angel Kanchev University of Ruse – BRIE (Advice Case 39) in Bulgaria is unable to complete the creation of joint university degrees with Romania due to differences in the national legal frameworks, namely on their implementation of the Bologna agreement. The solution proposed by the adviser envisages the introduction of a compensatory training activity during a master's course, accompanied by an amendment of Bulgarian provisions.
- The Eurodistrict SaarMoselle EGTC (France-Germany) (Advice Case 40) had reported that the creation of a cross-border crèche (nursery) is currently impossible due to restrictions arising from the different national legal frameworks. Yet, it was noted that, operating within the current legal framework, the introduction of a derogation in accordance with the provisions contained in the Treaty of Aachen signed by France and Germany, can help resolve the issue concerning the VAT implications for the construction of a cross-border crèche raised by the advice case of the EGTC Eurodistrict SaarMoselle. Furthermore, the *Saarland Childcare and Education Act* already regulates the qualifications required to work in such structures in the state of Saarland, allowing for a local exception to the regular procedures usually applied in Germany.

Obstacles where the proposed solutions are not themselves specifically legal or administrative (Category Two) are the following:

- In the territory of the Eurodistrict PAMINA EGTC (France-Germany) (Pilot Action 6), complexities arising from the intricate administrative nature of social insurance policies affect negatively workers' mobility. The pilot action implemented by the Eurodistrict PAMINA contributed to the creation of an inventory of administrative obstacles with a negative impact on frontier workers and their social security obligations and benefits. The inventory enabled the preparation of an action protocol between French and German social insurance funds containing solutions to the obstacles, information on the procedures to apply for the accomplishment of the solutions, and a list of stakeholders in charge. The proposed solution will not only provide clear information to citizens, but it will also raise awareness of the hurdle for actors and stakeholders dealing with the topic. It should be noted that, while the solution set out involves active and effective mitigation of issues arising from the current administrative frameworks, the ultimate objective of the Eurodistrict PAMINA is to address the core issue and to introduce changes to the administrative provisions themselves.
- The Latvian Environment, Geology and Meteorology Centre and the Lithuanian Geological Survey under the Ministry of Environment (Pilot Action 7) succeeded within the action in creating a common methodology for the cross-border management of ground water. Through the establishment of a unified database between Latvia and Lithuania, the cross-border monitoring of data is now possible, and both centres can jointly interpret hydrogeological conditions. This facilitates risk assessment and the implementation of a long-term monitoring plan through the data collected in both countries.

- The creation of a centralised and unified platform was also part of the solution implemented by the pilot action of the EGTC Summit Secretariat of the Greater Region (Pilot Action 8), whose project led to the development of joint geometric border approaches via the harmonisation of hydrographic data from Luxembourg, France, Germany and, partially, Belgium. The partners have produced a common dataset following the indications included in the European framework for spatial information and, finally, have reinforced the solution through signing a data agreement. Ultimately, the EGTC Summit Secretariat of the Greater Region aspires to achieve the adoption of international agreements in the field of geoinformation, which is considered essential to tackle the lack of interoperability and the current costly acquisition of relevant data.
- Diverging standards have hampered Croatian and Hungarian local farmers in selling their products on the other side of the border in the territory of Pannon EGTC (Croatia-Hungary) (Pilot Action 9). The initial solution, or first-step to a solution, identified within the scope of the pilot action involved a closer analysis of the needs, expectations and practical difficulties of local farmers. To further facilitate local farmers to trade across the border, Pannon EGTC performed a comparison of the indications included in current Croatian and Hungarian legal and administrative provisions in order to identify areas that need to be addressed. The main aim is to raise understanding amongst stakeholders and to inform actions that would create more favourable conditions to trade local products in the whole cross-border region. Policy recommendations were elaborated in order to draw the attention of relevant stakeholders. In due course it was noted that it would be desirable to introduce new legislation regulating food sale along the border.
- Diverging standards also block partners in the cross-border region between Spain and Portugal from implementing a sustainable cross-border strategy for electrical and electronic waste in the province of Pontevedra and neighbouring Portuguese territory (Advice Case 38). European directives already promote harmonisation of procedures in this field but have neither been transposed yet in Spain nor in Portugal. As an interim measure awaiting the development of national legislation it was proposed that, to harmonise requirements for collection centres, dedicated trainings could be organised.
- The municipality of Elvas (Advice Case 41) has highlighted that in the field of child protection and youth welfare the overlapping of competences makes coordination difficult when families move from Portugal to Spain or vice versa. To foster coordination between local actors and the national bodies responsible for the management of youth welfare in the border area, it was advised that the municipality of Elvas creates a joint committee including relevant actors from the ministerial, the regional and the municipal level. The task of such joint committee would be to draft an action protocol aiming at easing the exchange of information among the many stakeholders and therefore facilitating cooperation on youth care.

Under the 'Institutional Cooperation' theme were also cases where, on the basis of the analyses and work done within the pilot action or advice case, neither the obstacles nor, therefore, the solutions appeared to be of a legal or administrative nature (Category Three). The following cases in this category were identified:

- Eucor – The European Campus EGTC (Germany-France-Switzerland) (Advice Case 30) had raised concerns about its capacity to continue cooperating because of uncertainties as regards tax administration's issues. Composed by five universities from three different countries, Eucor has offices in Freiburg (DE) and Strasbourg (FR), whose personnel is seconded by the two local academic institutions. Because of the two offices, the EGTC is confronted with a complex situation where two different tax administrations meet. In the light of a full analysis of the legal framework applying to the obstacle presented by Eucor, the advice indicated that the European directive offers a solution to clarify which legislation prevails. This allowed to overcome the huge complexity of the legal and administrative 'overlapping' for the cross-border structure of the campus.



- The potential for a cross-border travel package offering in the trilateral border area of QuattroPole e.V (Luxembourg-France-Germany) (Advice Case 31) has faced challenges as the European Union Directive 2015/2302 on package travel has entered into force in the three countries. The newly introduced information requirements and liability of the providers presented a new coordination effort for local tourism agencies. Because the retailing of the “cross-border package” comes under three different national legal frameworks, the agencies must learn how to act lawfully in the three countries involved in order to be able to sell the cross-border travel package. On the basis of an enhanced analysis of the new regulations, the agencies developed a different, more informed, understanding of the real nature of the obstacles and were able to consider appropriate measures to improve cooperation.
- The Vilkauskis District Municipality in Lithuania (Advice Case 32) had not succeeded yet in setting up the joint management of cross-border fire-rescue interventions in reason of the stakeholders’ uncertainties on how to act lawfully. Because of the exceptional case brought about by the cross-border context, regional stakeholders did not fully acknowledge, or were aware of, the whole legal and regulatory context for cross-border cooperation. On the basis of the advice stakeholders developed a different, more informed, understanding of the current legal framework regulating cross-border emergency services between Lithuania and Poland. This information allowed them, consequently, to consider appropriate measures to update it in consideration of the current needs of the border area surrounding the municipality of Vilkauskis.
- The members of the Arrabona EGTC (Hungary-Slovakia) (Advice Case 35) had raised issues relating to the legal/administrative framework associated with the set up a joint management of machines for the maintenance of public spaces. Different traffic regulations apply in the two countries, and the different standards have the potential to create confusion in case of police and security controls. It was only after the fuller analysis performed by the expert that stakeholders became aware that what had appeared to be a legal or administrative barrier was, in fact, a different type of barrier. To manage jointly the machines, it is important to facilitate a better coordination between the two national police authorities and increase capacity building on cross-border cooperation issues in the cross-border context.

As regards the field of Institutional Cooperation, it emerges therefore that:

- Six cases require a change of the currently applicable law for actors in border regions to be able to pursue cross-border cooperation. In two of these instances, amending the national legislation of one country to make the proper adaptations to the normative texts could suffice (Advice Cases 34 and 39).

In this context, it was noted that the implementation of the proposed European Mechanism for Cross-Border Cooperation (ECBM) is seen as a valuable option in those cases which match closely the proposals set out in the draft regulation for an ECBM.

- In three cases, the involvement of competent authorities from both Members States is necessary as the solution is envisaged to be settled by a bilateral agreement (Advice Cases 36, 37, and 40).
- In half of the cases involved, solutions that do not require amendments to the legal or administrative framework could also be explored, at least to minimise the negative impacts of the obstacles.
- The six obstacles identified in Category Two did address legal obstacles but it was advised that the issues could be resolved within the current legal framework. In such cases, to achieve more effective cross-border cooperation, an array of different ways were proposed to mitigate the negative effects of the legal or administrative impediments by, in most cases, promoting the exchange of information (Pilot Actions 6 and 9, Advice Cases 38 and 41) or by setting up mutual databases (Pilot Actions 7 and 8).

- As for the Pilot Actions 6, 8 and 9 it is important to note that the results achieved so far are a mid-term outcome of the projects' implementation. The stakeholders of these three projects aim to continue promoting solutions for the obstacles, where the ultimate target is an amendment to the current legal/administrative framework. In consideration of these objectives, these cases could be classified in Category One if follow-on work were to lead to recommendations for further legal or administrative measures.
- As regards the four cases under Category Three, stakeholders appeared to have imperfect awareness of the legal and administrative frameworks within which they operate in a cross-border context and thus were not aware that a solution may be at disposal. On the basis of the consultation received by the experts, actors had the chance to gain a more informed understanding of the real nature of the obstacles and were able to consider appropriate measures to improve cooperation. In these instances, local authorities can make use of the already available legal framework (30, 31, 32 and 35) or of tools set up by the European Union, which can also be applied to facilitate collaboration. Here, the cases illustrate that better information and awareness on available instruments are needed. Nevertheless, in some of these cases new legal or administrative arrangements, taking into account the specific nature of cross-border interactions, could provide higher impact solutions.

The pilot actions selected in the field of institutional cooperation during the first call for proposals of *b-solutions* have already implemented a pilot solution to overcome an administrative or legal obstacle. These actions show some common features that have underpinned the success achieved:

- the first step to synchronise policies and practices in the countries involved is to undertake a full, comparative analysis of the data and thereby to ensure a proper understanding of the issues;
- as a second step, building on the evidence, stakeholders must then create a common framework to manage or share information about the issues and to agree the work to be undertaken in the action; and
- it is crucially important to use the evidence to raise awareness of the obstacle among all relevant actors at the local, regional and national levels.

Cooperation among institutions of neighbouring countries is essential for cross-border cooperation to be effective. In an integrated European Union, institutions must be able to communicate and collaborate with agility on a multitude of issues, especially so in border regions. To ensure a high degree of institutional cooperation, political actors and policymakers at all levels must be actively involved. Given that border regions are distanced from the core of decision-making, national actors are sometimes not aware of the conditions of cross-border practitioners or of the daily difficulties that citizens are confronted with in border regions. Involving national political stakeholders, therefore, would not only help raising awareness on cross-border issues, but would also facilitate the undertaking of stable solutions in the long term, through the inclusion of provisions regulating "exchanges" across the borders.

Furthermore, knowledge of cross-border cooperation must be raised at the local level, because border practitioners, citizens or specific groups of professionals are not always fully conscious of already existing possibilities for triggering cooperation. The necessity for fostering dialogue and stable communication through the organisation of joint trainings or seminars, or by setting cross-border coordination points, is clearly proposed by six experts involved in advice cases submitted under this thematic area. Additionally, Interreg funds are also seen as important tools to test the feasibility of some of the proposed solutions in the short to medium term and, in general, to foster cooperation.

Reflecting this, the solutions proposed in the framework of the *b-solutions* initiative for resolving obstacles to cross-border cooperation in the specific field of institutional cooperation require three main actions:



- the amendment of national normative frameworks or the creation of *ad hoc* agreements where the obstacles and the solutions are of legal nature;
- strengthened coordination between stakeholders at all levels of policymaking;
- enhanced knowledge of cross-border cooperation.

These measures, once again, are lengthy and require significant effort by local authorities from border regions. Yet, fostering European integration and reinforcing political cohesion is fundamental in border regions. Enabling institutional cooperation unleashes growth and coordination in relevant fields such as social security and emergency management, essential services that border regions must provide to their citizens. In this light, it is necessary to facilitate cross-border cooperation while alleviating the administrative burden of removing its obstacles. It is hoped that the information provided regarding the pilot actions and advice cases will be of value in this regard.

Bilingualism in the tri-border region AT-HU-SK (#PrimaryEducation)  
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## Understanding the neighbours: enhancing multilingualism in border regions

Promoting multilingualism is a priority for the European Union and so it is reflected in the motto “united in diversity”. European institutions recognise the role of languages: “Languages unite people, render other countries and their cultures accessible, and strengthen intercultural understanding. Foreign language skills play a vital role in enhancing employability and mobility. Multilingualism also improves the competitiveness of the EU economy”<sup>24</sup>.

The analysis of the case studies dealing with the obstacles selected under ‘Multilingualism’ shows that there are two crucial elements to achieving long term and sustainable ways to effectively promote learning the neighbours’ languages. These are:

- the political commitment to promote multilingualism; and
- the activation of multi-level governance models.

As the Communication of the European Commission COM(2017)534 *Boosting Growth and Cohesion in European Border Regions* denotes, accessibility and intercultural understanding are even more relevant in border regions, where exchanges through different languages happen on a daily basis. As a consequence, the European Commission has urged policymakers to strengthen their efforts to promote bilingualism in border regions, where it is advised that citizens should be encouraged to learn the language of their neighbours<sup>25</sup>.

In the course of the two calls for proposals launched within *b-solutions*, overcoming legal and administrative obstacles to achieve multilingualism was the theme of one pilot action and one advice case:

According to the categorisation of the obstacles and the proposed solutions illustrated in the “Methodology” chapter, both cases fall principally under “Category Two” when we look at the main solutions proposed (cases where the obstacles are wholly or mainly of a legal or an administrative nature, but where the proposed solutions are not themselves specifically legal or administrative). However, in both cases there were alternative solutions identified, perhaps more sustainable, that would require amendments to the legal or administrative frameworks and thus that could shift these cases to our “Category One” in the future.

- The Lower Austrian Government, Department of Pre-Schools/Kindergartens and Schools (Pilot Action 10) demonstrated that pupils cannot attend schools in the neighbouring country in the border regions between Austria, Hungary and Slovakia, due to legal impediments. This barrier restrains opportunities to promote multilingualism. To partially overcome it, project partners identified and developed an initial package of measures whose nature, at this stage, is neither legal nor administrative. Specifically, within the project, the partners:
  - carried out an analysis of the current legal framework in the respective areas with a focus on the obstacles to attend school and kindergarten in the neighbouring regions;
  - took steps to raise awareness of this problem amongst further stakeholders; and
  - considered how they could use other tools like Interreg and Erasmus+ to finance projects that would also contribute to overcoming the obstacles.

However, in addition to these steps, the beneficiary also provided national stakeholders with policy recommendations to foster further actions of a legal nature, which would strengthen multilingual education in the longer-term. As a consequence, the project identified that in order to fully address the obstacles, legal or administrative changes would be necessary to be achieved in the future. If such actions are pursued the case would then fit within the “Category One”.

<sup>24</sup> See [https://ec.europa.eu/education/policies/multilingualism/about-multilingualism-policy\\_en](https://ec.europa.eu/education/policies/multilingualism/about-multilingualism-policy_en).

<sup>25</sup> [https://ec.europa.eu/regional\\_policy/sources/docoffic/2014/boosting\\_growth/com\\_boosting\\_borders.pdf](https://ec.europa.eu/regional_policy/sources/docoffic/2014/boosting_growth/com_boosting_borders.pdf), p. 12.

- The case study presented by Euregio Meuse-Rhine EGTC (Belgium-Germany-the Netherlands) (Advice Case 42) relates to the use of “geo-blocking”, a technology that restricts access to online audio-visual contents based upon the user’s geographical location. This restriction is an obstacle to enhance bilingualism in the border region because individuals are prevented from being exposed to the neighbouring language. One solution identified by the Euregio Meuse-Rhine is pushing regional authorities to enter into negotiations to purchase copyright licenses allowing online retransmissions of contents in the neighbouring region. Alternatively, another possible solution identified would involve the extension of the implementation of Directive 2019/789 which facilitates cross-border satellite broadcasting and retransmission by cable of television and radio programmes from other Member States. Germany (North Rhine Westphalia) has not transposed this Directive yet. This solution would therefore require specific consideration of this issue when preparing the provisions to be implemented to transpose the Directive.

These cases may inspire solutions in other border regions, but they also show that stronger efforts are needed by national and local authorities to promote bilingualism in border regions.

In both cases, it was found that it is possible to achieve progress within the current legal and administrative framework to overcome some key issues arising from the legal/administrative barrier, or to mitigate its negative impacts on the possibilities of learning the language of the neighbours. Pilot Action 10 and Advice Case 42 show that, at least in the short-term, alternative tools can be utilised to promote the learning of languages — Interreg funding or Erasmus+ projects in the case of Pilot Action 10, the acquisition of copyright licences for Advice Case 42.

However, both cases also illustrate that sustainable, long term solutions cannot be implemented without considering the introduction of changes in the current legal framework and the intervention of the relevant, competent authorities.

## Connecting innovation: solutions for digitalisation and eGovernment in cross-border contexts

The provision of public services via information and communication technologies (ICT) is common in many governmental bodies. The European Commission encourages the adoption of so-called e-Government measures among Member States. Digital Public Services facilitate the digital single market as they allow citizens to access public services outside of their home country<sup>26</sup>. Such services are of particular importance for citizens living in border regions who sometimes need to provide the same information in two countries. However, as the European Commission reports in its Communication *Boosting Growth and Cohesion in EU Border Regions*, interoperability of the platforms developed so far by national public authorities is limited as these tend to be designed solely to respond to national needs<sup>27</sup>.

The analysis of the only advice case submitted under the thematic area of eGovernment in the framework of the second call for proposals of *b-solutions*, shows that involvement of actors at a European and national level is absolutely necessary to optimise the implementation of solutions in a field that is fast-moving and in constant evolution. In the light of this, the Advice Case 43 falls under “Category One”.

The obstacle illustrated in the Advice Case 43 is caused by different standards applied to create digital platforms for public procurement. The lack of coordination between the national authorities involved when programming the platform resulted in the practical impossibility of making use of the digital platforms when a call for tenders addresses business located in both countries (IT and SI). For public authorities working with stakeholders from both sides of the border, this obstacle hinders the use of digital solutions and inhibits competition. In detail, the EGTC GO, active on the cross-border territory between Slovenia and Italy, has encountered the obstacle when inviting tenders for the implementation of its projects. This EGTC is based in Italy and its e-procurement platform does not recognise applicants from Slovenia because of different technical standards which block applications from the neighbouring country. In addition to technical hindrances, legal provisions relating to procurement participation also differ between both countries. The different thresholds set at national level for the participation in tendering procedures have been transposed into each of the national platforms, which again block applications submitted on the basis of the ‘other’ national rules.

In view of the fact that the obstacle is the lack of coherence and consistency between national laws, one solution proposed was to seek an amendment to provisions at European level so as to avoid inoperability — either by disallowing executive provisions at the national level or by introducing compulsory provisions on the formulation of public calls and on the platforms’ design. Alternatively, if such changes could not be secured to procurement law, an amendment of the Regulation on the functioning of European Groupings of Territorial Cooperation could be made to introduce the possibility to regulate the use by EGTCs of different national thresholds for tendering procedures, effectively using EGTC regulations to derogate from normally applicable procurement law. Both proposed solutions would require a change of law at European level.

It was recognised, however, that this may not be feasible and would be lengthy to achieve. Therefore, an additional solution applicable in the short term was set out. This would involve the improvement of the current system of design by software providers in cooperation with the competent national authorities.

In conclusion, the preferred, ideal solutions proposed require the intervention of stakeholders both at European and national level, and the alternative short-term measure would also require approval by the national levels. Only one case has been selected under this thematic field, but it could be expected that a growing number of regions will face this type of obstacles in the near future, if not already.

<sup>26</sup> European Commission on the Digital Single Market, see <https://ec.europa.eu/digital-single-market/en/policies/egovernment>.

<sup>27</sup> [https://ec.europa.eu/regional\\_policy/sources/docoffic/2014/boosting-growth/com\\_boosting\\_borders.pdf](https://ec.europa.eu/regional_policy/sources/docoffic/2014/boosting-growth/com_boosting_borders.pdf), p. 9.

# Chapter III: Main conclusions

## Lessons learned

With the implementation of *b-solutions*, local administrations and actors of cross-border cooperation located at the internal land borders of the European Union have addressed obstacles of an administrative and legal nature via two different forms of intervention:

- Firstly, there were ten pilot actions developed by cross-border partnerships to design and implement innovative solutions to overcoming the cross-border obstacles; and
- Secondly, there were thirty-three advice cases. These are more limited in their scope as they focused on developing an analysis of the cross-border obstacles, informed by the support received from competent legal and political science experts in cross-border matters. On the basis of the analysis, the experts have proposed potential solutions to the obstacles. Yet, in the case of the advice cases, solutions did not need to be implemented by the stakeholders.

There are several lessons to be learned from both forms of intervention under the initiative. The case studies provide an extensive and broad-ranging insight into both obstacles and solutions. This way, hurdles currently hindering the fulfilment of European integration in the internal land border regions within the EU are better understood. At the same time, the potential tools that are available for overcoming such obstacles are also displayed.

A broad range of institutions and partners took part in *b-solutions*. A total of 25 cross-border structures — including European Groupings of Territorial Cooperation (EGTCs), Euroregions, and Regional Associations —; 7 municipalities; 6 regional or sub-regional authorities; and 5 agencies or institutions operating in border regions (often of a similar nature of Interreg project's beneficiaries) were selected in the framework of the pilot initiative.

There was not an even geographical distribution of the participants. There were large clusters of applicants from North-West-Europe, principally located between Belgium, France, Germany, Luxemburg and the Netherlands. There were also many participants from South-West Europe, both on the border between Portugal and Spain and between France and Spain. Stakeholders on the border between Lithuania and Poland identified 4 different obstacles and 3 were reported by actors from the Italian region bordering with Slovenia. There were also a limited number of cases on the following borders: Estonia-Latvia, Czech Republic-Germany-Poland, Bulgaria-Romania, France-Italy, Croatia-Hungary, Hungary-Slovakia, and Lithuania-Latvia.

Each case brought forward a real obstacle and there are without doubt lessons to be learned from the experiences of every project. In order to assess the full learning scope of the initiative it would be necessary to consider each of the cases summarised in the annex, as well as some common points raised in the thematic summaries provided in section two above. Readers are encouraged to look at the detailed information to gain a full understanding of the issues raised. At a more strategic level, however, covering the overall evidence generated across the

initiative, the following summary comments could be noted with regard to some main lessons that can be learned from *b-solutions*:

- a. **Variety of obstacles:** As the number of projects brought forward demonstrated, border regions clearly face a wide range of legal and administrative obstacles to cross-border cooperation. These exist in relation to almost all aspects of community life, including health, transport, employment, language, education, and eGovernment.
- b. **Variety of causes:** Legal or administrative barrier to cooperation are frequently due to issues arising from incompatible national legal or administrative systems or procedures. However, these obstacles to cooperation are usually accompanied by other causes. These include lack of coordination among stakeholders across borders; higher complexity due to the number of stakeholders to be involved to devise a cross-border solution; and uncertainty among stakeholders about the specific nature of the challenges.
- c. **Tailored solutions:** Although there are common issues which EU border regions face, and while the nature of legal and administrative obstacles is similar in several border regions, the cases show that there are no simple 'off-the-shelf' solutions. While it is certainly the case that border regions can find inspiration and gain specific insights from the experiences of other regions, the development of solutions must be customised to the specific legal, administrative, institutional, cultural, geographical and technical conditions in each border region.
- d. **A long process:** Overcoming the barriers is a lengthy and complex process. Legal solutions such as bi- or multilateral agreements, their amendment, derogations from national laws or the amendment of laws at any level require the engagement and animation of a wide network, the involvement of multiple competent authorities and the mediation between two (or more) national legal and administrative frameworks. The EGTC GO (Italian-Slovenian border) and the Consortium of the Working Community of the Pyrenees (French-Spanish border) exemplify the significant effort local policymakers and cooperation partners must make to overcome the obstacle: they spent fifteen months preparing the conditions to achieve the signature of the competent authorities from the countries involved.
- e. **Changes in legal frameworks:** Many cases show that in order to overcome legal and administrative obstacles it is often necessary to amend the legal and administrative framework within which cross-border cooperation projects are operating. In most instances, the current, normally applicable law must change if there is to be effective cross-border cooperation. Such change could be achieved by amending the law just on one side of the border, as in the case submitted by the Angel Kanchev University of Ruse – BRIE (Bulgarian-Romanian border). By changing the current Bulgarian legal provisions, the enrolment of foreign students with different academic backgrounds would be facilitated. Alternatively, some cases show that the adoption of mutual, bilateral agreements amending the legal or administrative framework is necessary to enable the provision of essential services in border regions. The cross-border hospital of Valga-Valka at the Estonian – Latvian border exemplifies such need.
- f. **Complementary tools:** The initiative has also shown that complementary types of responses, not directly removing the specific legal or administrative obstacles, can be very effective in mitigating the negative impacts caused by such obstacles. Relevant examples are the new approaches and methodologies implemented by the Latvian Environment, Geology and Meteorology Centre and the Summit Secretariat of the Greater Region EGTC to monitor hydrogeological and spatial data following harmonised methodological approaches.
- g. **Political commitment:** Local stakeholders must have a strong political commitment to find solutions to overcome the obstacles to cross-border cooperation. This is particularly relevant to implement sustainable, long-term, solutions. This commitment is also required from stakeholders and administrations at regional and national levels.



- h. Multi-level engagement:** Cases of *b-solutions* demonstrate the importance of multi-level involvement of politicians and policymakers at different levels: European, national, regional and local. The role of national authorities is particularly crucial when changes to the legal and administrative framework are required to implement projects of cross-border cooperation, regardless of the scope or scale of the initiative. An example was shown by the project brought forward by the French Riviera Chamber of Commerce to connect municipalities in France and Italy via a maritime public transport system; progress in this case depends on active support at the national level in France, requiring the amendment of French national law.
- i. Deep analysis:** Solid, feasible solutions that are ready for implementation can only be developed on the basis of sound knowledge of the complexity of the challenges. As all cases illustrate, to understand what the most appropriate form of solution is, it must be clear what the real obstacles preventing or hindering cross-border cooperation are. To do so, a thorough research and an evidence-based analysis of the obstacle should be performed. If this first-stage analysis and understanding is weak, or mistaken, the difficult challenge of developing joint measures for cooperation becomes impossible. In the advice case presented by the Municipalities of Chaves and Verín (Portuguese-Spanish border), for example, the detailed analysis of the adviser offered a roadmap outlining step by step actions to take in order to create a regular transport service between the twin cities. This helped clarify the complexity of overlapping competences of the many competent authorities involved.
- j. Information sharing:** Given the importance of informed analysis and evidence-based approaches to developing solutions, the cases also demonstrate how important it is for stakeholders to have access to detailed, accurate cross-border information. In this light, exchange of information among the stakeholders and coordination with the competent authorities was found to be a fundamental step in overcoming the obstacles successfully. As an example, the Province of Limburg elaborated factsheets and roadmaps containing key information on the procedure of diplomas' recognition for some professions in the border region between the Netherlands and Germany.
- k. Capacity building:** Some cases have also shown that in order to develop solutions to legal and administrative obstacles stakeholders sometimes face a lack of capacity to fully assess the barriers, particularly where these are based on complex legal/administrative issues. This is a major blocking factor on progress as stakeholders are unable to clearly define possible solutions to address problems that are being experienced in cross-border projects. As an example, the solution suggested by the experts advising the tourist agencies cooperating with QuattroPole e.V. (French-German-Luxemburg border) to improve cross-border tourism, involved supporting stakeholders in understanding the issues and real obstacles to cooperation.
- l. Interreg and EGTC potential:** Several cases illustrate that certain instruments and tools put forward by the European Union have proven very useful for local authorities in resolving impediments to cross-border cooperation and in overcoming obstacles. As an example, Interreg is suggested as a possible solution to foster communication and cooperation at the German-Dutch border to facilitate the joint care of children and young people in the Municipality of Winterswijk. Similarly, the establishment of a European Grouping of Territorial Cooperation is seen as a valuable solution to enhance business opportunities between Poland and Lithuania in the case of Lazdijai District Municipality.
- m. ECBM potential:** In a number of cases the potential value of the proposed European Cross-Border Mechanism (ECBM) was highlighted. This was particularly notable in those cases where the proposed solution would require amendment to the currently applicable legal or administrative framework on one side of the border. The adviser pointed out how the ECBM could allow for the establishment of an exceptional regime for the case of the acceleration of the recognition of diplomas within the Cerdanya Cross-border Hospital (French-Spanish border), speeding up the procedures to hire French doctors.

In this context it should be noted that the evidence from the cases indicates that supporting regional capacities would be required if local or regional stakeholders are to be able to play a stronger and more effective role as ‘initiators’ of solutions under the proposed ECBM. For the mechanism to be implemented correctly, regional authorities must be able to understand obstacles sufficiently and thus be capable of clearly defining workable legal or administrative solutions.

### **Policy recommendations arising from *b-solutions***

Based on the lessons learned from the implementation of the pilot initiative *b-solutions*, the Association of European Border Regions identified some indicative recommendations for policy measures addressing policymakers involved in cross-border cooperation at all levels:

- first, the EU, holder of the strongest support to cross-border cooperation with instruments such as Interreg, EGTC, etc.;
- secondly, national authorities, who have to decide on EU political and budgetary priorities, and who hold most areas of competence;
- thirdly, policymakers at the sub-national level, where a variety of jurisdictions and devolved powers make regions, provinces, districts and mayors very relevant players in cross-border policymaking.

These measures could make a positive contribution to improving the position for stakeholders seeking to develop cross-border cooperation projects. The recommendations are indicative only, pointing to broad areas where action would be beneficial. Further work would need to be done in each area to formulate specific, working policy proposals and/or design specific measures. The recommendations are the following:

#### **1. Capacity building of local stakeholders in border regions:**

The European Commission and Interreg Programmes’ Managing Authorities and Joint Secretariats should promote capacity building of local stakeholders in all border regions for improved knowledge and understanding of cross-border cooperation practices. Regional and local authorities, as well as other relevant local/regional stakeholders, need continued support to be able to plan, design and apply tailor-made arrangements to solve specific obstacles to cross-border cooperation. Such support could be provided via a range of capacity-building measures. These could include the following:

- a. Improved training provision dedicated to local and regional policymakers and cross-border cooperation actors, and measures to support engagement and understanding of cross-border matters across all key policy areas in border regions. In particular, Continuous Professional Development (CPD) programmes on issues of cross-border law and administration should be offered.
- b. Support for information or coordination units within the local/regional authorities in border regions. These should inform citizens and organisations about all cross-border related issues, including existing legal and administrative obstacles and solutions to cross-border cooperation. In particular, such information or coordination units should advise on procedures to solve hindrances to collaboration in the cross-border context and provide information on legal and administrative requirements to comply with the normative frameworks of the neighbouring countries.
- c. Commissioning of detailed comparative studies that can address the current gap in cross-border knowledge, can provide an informed understanding of the barriers and issues and could prepare potential options for overcoming existing obstacles.
- d. Strengthening capacity within professional service firms in relation to the very specialized issues of cross-border law, finance and administration. Measures should be taken to

encourage focused and practical cross-border engagement by professionals in border regions, as well as short-term internships from professional service firms could be facilitated to public bodies engaged in cross-border development (and vice-versa).

## **2. Promotion of effective multi-level engagement and responses:**

National authorities must engage in dialogues with local and regional authorities from border regions to be able to address the issues and to devise solutions in a multi-level governance model. Measures to promote multi-level governance could include, for example:

- a. The formal adoption of legal mechanisms to enable the involvement of national authorities in a direct and speedy manner when legal or administrative obstacles preventing cross-border cooperation arise. Such mechanisms should promote joint development and implementation of legislative and administrative frameworks and policies facilitating the devising of solutions. Along with enhancing a cooperation-friendly normative framework at national level, also the engagement of national authorities in EU legislative processes should be guaranteed.
- b. Joint commissioning of cross-border studies and analyses.
- c. Enhanced forums for dialogue to ensure that at all levels there is a wider understanding about the specific needs of border citizens and the added value of cross-border cooperation.

## **3. Maximising the value of European Union tools and instruments:**

Issues to consider here would include the following:

- a. Steps to enable effective implementation of the proposed European Cross-Border Mechanism (ECBM) to be taken by all actors involved:
  - i. Competent Ministries of Member States are called to support the proposal in the European Council.
  - ii. National and regional authorities should trigger coordination points or alike.
  - iii. Regional and local authorities should structure processes for the identification and analysis of legal or administrative obstacles.
  - iv. The European Commission should provide clear information known obstacles and replicable solutions, enhancing mutual learning.
  - v. Local and regional stakeholders in border regions should engage in policy learning and capacity building initiatives to be effective ‘initiators’.
- b. Utilisation of Interreg and other EU Instruments:
  - i. Managing Authorities and Joint Secretariats of Interreg Programmes should address legal and administrative obstacles in border regions. To do so, the programming and implementation of Interreg Programmes for the Programming Period 2021–2027 should include measures to identify obstacles to cross-border cooperation in their respective area; should give priority to projects establishing information points; and should enhance the relevance of cross-border cooperation in the selection procedures of projects.
  - ii. Regional and local authorities should use other forms of EU support to enhance capacity building, develop information/awareness and/or enhance multi-level governance in specific themes.
  - iii. The European Commission should reinforce the Border Focal Point to enhance border regions’ access to a central resource and facilitate their networking. The Border Focal Point should: continue to promote ongoing exchange of experience between border regions; provide easy-access to a central repository of ‘solutions’ (including full legal texts of agreements, amended legislation, etc); as well as make available a central pool of training resources (materials and/or trainers) on common issues faced in overcoming cross-border legal and administrative obstacles.

- iv. The European Commission should continue boosting projects aiming to increase capacity building and policy learning targeting cross-border cooperation, such as the pilot initiative *b-solutions*.

The points above set out some indicative proposals for consideration. For any of these recommendations to be taken forward and to be effective in helping to overcome obstacles in border regions it is essential for key politicians and policymakers, at all levels, to show a strong commitment to promoting cross-border cooperation as a core element of their development strategies. Hopefully, the *b-solutions* initiative has shown that such a commitment is necessary if the citizens of border regions are to benefit fully and equally from European integration.

Double personality is a single reality: working in Portugal and paying taxes in Spain due to legal and/or administrative impediments (#CommutersResidence)  
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