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Will reducing border barriers via the EU's *b-solutions* lead towards greater European territorial integration?

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Abstract:

Despite the positive contributions of several European Union (EU) policies to reduce border barriers, the EU Cross-Border Review (CBR) initiative reaffirmed their relevance and persistence. Since 2018, the EU has supported the *b-solutions* initiative, specifically focused on tackling legal and administrative border obstacles, aiming to highlight replicable solutions which can contribute to reducing these obstacles. This article critically assesses the *b-solutions* and its contribution to reducing administrative and legal border obstacles, with an eye to promoting a more integrated European territory. It concluded that the *b-solutions* is a valid, yet insufficient initiative to provide replicable solutions to mitigate cross-border barriers.

Keywords: *b-solutions*, Barrier Effect, Border Obstacles, European Territorial Integration, European Territorial Cooperation

JLE Codes: R58, R5

INTRODUCTION

The United Kingdom has just left the European Union. This could be interpreted as a mounting setback to the European territorial integration process, generically understood as a spatial process characterised by a systematic reduction of all sorts of persisting border barriers (economic, legal-administrative, socio-cultural, accessibility, environmental - see Medeiros, 2018a) across European nations (Tykkyla, 2009; Wastl-Walter, 2009). In this stance, European territorial integration implies the involvement of territorial actors in commonly coordinating policies, aiming to foster a more unified European territory. For some, territorial integration could imply a policy with a top-down strategic approach, commanded by “those in power to control the entire space”, configuring “vertically overlapping layers of territories of various scales for domination” (Saito & Mizuoka, 2009: 9). This perspective connotes to the state-building unifying process theory (Lappalainen, 2001), and is based on the notion that integration requires the creation of a supranational organisation (Dedman, 2010).

As Scott (2002a: 153) puts it, this integration process facilitates “a gradual shift of policymaking procedure from a nation-state oriented system to a more complex network of actors operating at different administrative levels within evolving supranational political structures”. Another positive aspect of this process is its potentially positive effects in enhancing the efficiency of public services delivery (Jaansoo, 2019; Rodrigues & Meza, 2018); improving spatial and land-use planning systems (Vigar & Healey, 1999) at all territorial levels; and, ultimately, establishing a long era of peace (Saurugger, 2014). Ultimately, this notion of European territorial integration is closely tied to the idea of Europe as a geopolitical, geographical and cultural entity, immersed in deeply territorialized regional and national identities (Kuus, 2009).

Alternatively, the broader notion of European integration, viewed as a process towards blending into a functioning or unified whole, can take several policy dimensions. These include not

only spatial related aspects, but also social, economic, cultural, political, and institutional (Cappelli & Montobbio, 2016) connotations. Reflecting a neo-functionalist premise (Hooghe & Marks, 2019; Wiegner & Diez, 2009), European integration implies a search for mutually advantageous policy agreements, as an outcome of dialogue and cooperation processes among interested stakeholders. Building upon the European example, the EU integration process is mostly associated with the forging of EU institutions such as the European Commission (EC) and the European Parliament (EP), in addition to EU treaties, regulations and strategies (Pfister, 2015). Crucially, member states are willing to accept this European integration process, because of its potential rewards, both political and economic, at least for some segments of society (Warf, 2010). Notwithstanding, this process has also been known to have created social, cultural and political cleavages, largely resulting from opponents and supporters of supranational governance (Prosser, 2016).

In a way, this distinctive spatial character of European territorial integration, towards a borderless Europe imaginary, and in line with the script of state powerlessness, resonates with a bottom-up institutional strategic approach, in particular when local and/or regional entities forge territorial alliances. These can take the shape of cross-border entities such as Euroregions (Medeiros, 2011; Perkmann, 1999) and European Groupings of Territorial Cooperation (EGTCs) (Evrard & Engl, 2018; Medeiros, 2019a), or transnational institutional arrangements such as macro-regions (Medeiros, 2013; Sielker & Rauhut, 2018; Stead, 2014). Most fundamentally, European territorial cooperation (ETC), generically understood as a collaboration process between different territories or spatial locations (Medeiros, 2015) has had a crucial role in mitigating all sorts of border barriers (Guillermo-Ramirez, 2018; Reitel et al, 2018; Medeiros, 2011, 2014a; Svensson & Balogh, 2018), via the process of cross-border cooperation.

Such transnational institutional arrangements have also played a crucial role in implementing European territorial integration processes, as the resulting European transnational programme (Interreg-B) and entities (EU Macro-Region Strategies) have enabled sub-national entrepreneurs to

successfully engage in EU politics (de Wilde, 2019), and have also created opportunities for promoting peace, prosperity, human rights and other liberal values, leading towards a liberal European identity (Kaiser & McMahon, 2017). Moreover, these transnational cooperation arrangements brought into focus the elimination of socioeconomic and political barriers (Scott, 2016), as a major requirement to: tackle transnational development bottlenecks; exploring transnational territorial capitals (Louwers, 2018; Medeiros, 2020); implementing transnational spatial planning processes (Dühr, 2018); and bridging “the gap between various stakeholder groups, and various policy issues or problems in a specific territory” (Stead et al, 2016: 100).

In this context, this paper will shed particular light on the role of the EU *b-solutions* initiative to increase European territorial integration by mitigating all sorts of cross-border barriers. Synthetically defined as an EU pilot initiative to tackle legal and administrative border obstacles and difficulties along EU internal land borders, the *b-solutions* consist of 10 selected Pilot Actions and 33 Advice Cases, being implemented across Europe since 2018. Its first phase has recently ended (February, 2020), and a second phase is expected to run until December 2021. As such, this paper presents an initial overall assessment of the implementation process in the first phase, and its potential effects to mitigate border barriers and consequently create a more integrated European territory. Furthermore, the presented analysis intends to provide EU, national, regional and local authorities and stakeholders with crucial information, in order to improve the effectiveness of future similar initiatives.

From a methodological standpoint, the research is supported by an in-depth project analysis. The respective detailed reports of these projects were provided by the Association of European Border Regions (AEBR), which is managing the *b-solutions* initiative alongside the EC. In the end, the analysis intends to answer the following main research question: In what measure is the *b-solutions* contributing to reducing legal and administrative border obstacles, and consequently to increasing the European territorial integration process?

The paper is organised as follows. The next section provides a theoretical background relating the notions of ETC and European territorial integration. A third section then presents the *b-solutions* initiative through the analysis of the 10 Pilot Actions and the 33 Advice Cases. The fourth section lays out their potential contribution to mitigating legal-administrative border obstacles and future challenges. The last section presents the conclusion.

EUROPEAN TERRITORIAL INTEGRATION VIA EUROPEAN TERRITORIAL COOPERATION (ETC)

Aiming to mitigate the territorialism under which sovereign nations operate, ETC can contribute to a more integrated territory by fostering flexible and overlapping territorial governance and planning arrangements at various territorial scales. In addition, the role of ETC in reducing all sorts of border obstacles means European territorial integration and ETC resonate more strongly. These include not only physical related barriers such as physical accessibilities (cross-border roads, railways and public transport - Medeiros 2019b), but also legal and administrative related obstacles (e.g. diploma recognition, access to social security, use of public services - EC, 2017) and also cultural (e.g. language - Lundén 2018), socioeconomic (i.e. economic disparities - Smallbone & Welter, 2012), institutional (e.g. lack of trust - Meijerink, 2014), and environmental (e.g. lack of common management of cross-border protected natural areas - Herzog, 2010) related cross-border barriers.

Indeed, as Terlouw (2012: 351) postulates, “the wish to remove the obstacles imposed by national borders to economic development was an important motivation for starting the process of European Integration after the Second World War”. As a result, the interplay of both processes has facilitated labour mobility in the EU (Buch, 2009; Medeiros, 2019b), trust building (Meijerink, 2014), and entrepreneurship processes (Smallbone & Welter, 2012), and encouraged new forms of governing (Harguindéguy, 2007) by actively involving actors who mobilise borders as resources (Sohn, 2014),

and by promoting territorial cohesion processes (Medeiros, 2014b). Despite all these positive advances, some scholars recognise evident signals pointing to difficulties in constituting new transnational scales of governance, mostly due to lack of democratic legitimacy, and lack of policy coordination (Evrard, 2016; Medeiros et al. 2020).

Related considerations on increasing interaction across borders and rising territorial integration processes was long ago addressed by Deutsch (1957), and these denominated his theoretical approach, known as ‘transactionalism’. In view of the above, it is evident that ETC has far reaching implications to increase the territorial integration of Europe. In detail, both cross-border and transnational cooperation processes have contributed to mitigating all sorts of border obstacles (Caragliu & Fratesi, 2018; Liberato et al., 2018; Medeiros, 2014a; Svensson & Balogh, 2018), at the cross-border and transnational levels (Fig. 1). In particular, these processes have facilitated the emergence of cross-border and transnational institutional arrangements, teasing out wider potentially positive implications for institutional integration.

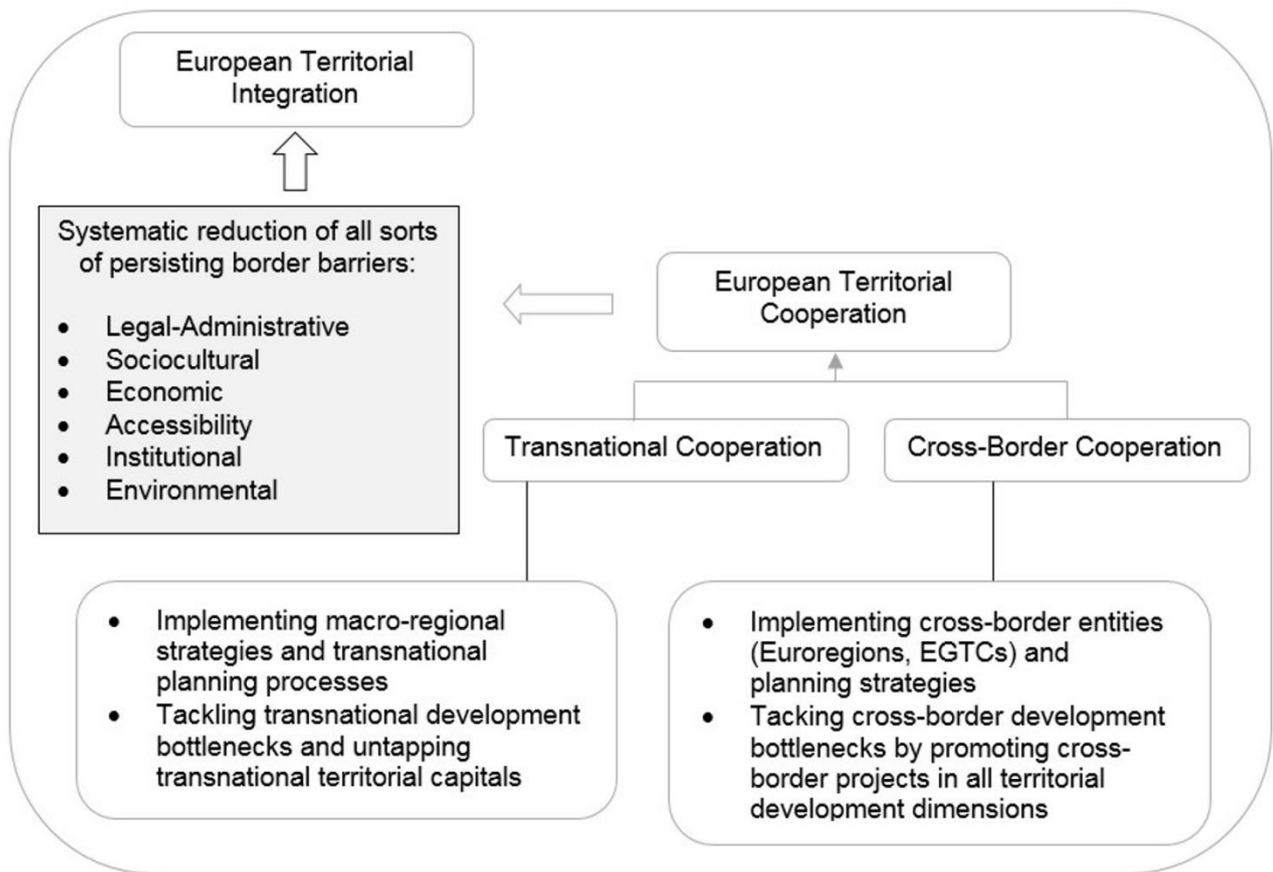


Figure 1. Relation between ETC and European territorial integration. Source: Own elaboration

In essence, European territorial integration, considered as the spatial component of European integration, requires sound and effective ETC processes to reduce all sorts of border barriers. As presented in Figure 1, the institutional dimension of the ETC process is key to forging European territorial integration by the implementation of cross-border and transnational programmes, strategies and entities, which provide territorially flexible forms of political and economic interaction (Durand & Decoville, 2019). Indeed, current examples of the importance of several European cross-border entities in solving concrete problems to cross-border commuters, arising from the closing of borders due to the COVID-19 pandemic, can be found in the Committee of the Regions platform: #EuropeansAgainstCovid19. Besides these institutional gains leading to improving cross-border flows and widening strategic planning, “the main achievements of Interreg programmes include: increased trust, higher connectivity, improved environment, better health and economic growth. From

people-to-people projects, through to infrastructure investments and support to institutional cooperation initiatives, Interreg has made a genuine difference to border regions and has contributed to their transformation” (EC, 2017: 2).

By facilitating cross-border physical accessibility, ETC not only fosters the reduction of the physical accessibility related barrier effects (Medeiros, 2014a) across European borders, but also maintains crucial cross-border connections, even in times of restrictions on cross-border mobility (Nash & Reid, 2010). Indeed, a pronounced growth of cross-border commuting has been occurring across several European border crossings (Fries-Terch et al., 2017), which indicates a need for labour market integration (Buch et al., 2009). This integration process will gain from increasing transnational political interactions resulting in networks and institutions (Fernández-i-Marín & Jordana, 2015). This transboundary regionalism entails flexible construction of communities of interest at a transnational level (Scott, 2002b), viewed as policy mechanisms conducive to social learning (Schulz & De Lombaerde, 2016), as a response to the challenges that international borders pose to all surrounding areas. This type of regionalism, engaged by local and regional actors in multi-faceted cooperation, aims at “finding beneficial solutions to common problems that cannot be adequately addressed in a national framework alone. The primary goal is to transcend the barrier function of state borders” (Warf, 2010: 630).

Being a complex and multi-faceted process, cross-border integration has been approached in distinct ways and from distinct perspectives, from socioeconomic to institutional approaches (Durand & Decoville, 2019a). By recognizing this scenario in which the process of cross-border cooperation has helped to improve European integration, via the Interreg-A and ETC policy goals, by mid-2015, the EC had launched the Cross-Border Review (CBR) (EC, 2016), in order to respond to the challenges still persisting in border regions. From July 2015 to February 2017, a wealth of information was collected on the persistent border obstacles in Europe, which underpinned the Commission's Communication ‘Boosting growth and cohesion in EU Border regions’, adopted on 20 September

2017 (EC, 2017a). In essence, the CBR revealed the extent of existing legal and administrative obstacles across European borders. In effect, 239 obstacles were documented in the period 2011-2015.ⁱ These stem from diverging national legislation and incompatible administrative processes, thus posing multiple problems to the daily lives of many Europeans, particularly cross-border commuters.

Despite the positive effects of the ETC programmes in mitigating border barriers across Europe (Medeiros, 2018a), they continue to persist and to pose significant constraints to cross-border commuters (Capello et al., 2018). It is in this context that the AEBC, under the supervision of the EC (DG REGIO), is managing the *b-solutions* project, aiming to tackle legal and administrative border obstacles along EU internal borders. This project reflects a strong emphasis of the EC concerns to assemble a pool of practical, feasible, comprehensive, viable and targeted solutions to mitigate the administrative and legal border barriers identified over the course of the CBR phase. As regards the 10 Pilot Actions, these encompass five main thematic areas: employment; health; public transport of passengers; multilingualism; and institutional cooperation. Concerning the 33 Advice Cases, eight thematic areas were defined: eGovernment; employment; evidence and data; health; information services; institutional cooperation; multilingualism; and transport.

SOLUTIONS FOR MITIGATING BORDER OBSTACLES?

Borders are complex phenomena (Haselsberger, 2014), as is the analysis of cross-border integration processes (Buch et al., 2009; Durand & Decoville, 2020). Ultimately, borders are commonly regarded as engines for work-related mobility, thus affecting territorial integration processes (Möller et al., 2018). Indeed, as Krätke (1999: 633) concludes, “the regional integration of border areas can facilitate the possible use of complementary resources and trans-border exchange of ‘know-how’, thereby strengthening the regional economy’s innovative capacity”. As previously mentioned, one crucial aspect of promoting a more integrated European territory depends on strengthening CBC processes

aiming at reducing border barriers (De Sousa, 2013; Ferreira, 2016; Kurowska et al., 2018; Pires & Nunes, 2018). These processes are, however, far from simple. Rather, they convey multifaceted and contradictory perspectives, for instance in the domains of security, socioeconomic opportunities (van Geenhuizen & Rietveld, 2002) and social marginalisation (Danson & De Souza, 2012). Be that as it may, cross-border integration benefits European integration by promoting joint efforts to foster overlapping social, political and cross-border functional spaces (Wastl-Walter, 2009). For this, border barriers need to be mitigated over time, as a way to promote new territorial boundaries for various policy fields (Stead, 2014).

In the EU, the most numerous cross-border related obstacles are legal obstacles related to the legislation of EU Member States, followed by administrative obstacles, and “their removal or alleviation primarily requires action within and between Member States which has to involve not only public administrations at different governance levels but also many other public, semi-public or associative actors” (EC, 2017b: 19). Curiously, the same report concludes that around one third of all legal and administrative related obstacles in the EU affect the labour market and education policy arena, soon followed by cross-border obstacles related to social security and transport mobility (Figure 2).

Place here Figure 2. Policy areas and fields of intervention concerned by border obstacles in Europe (%). Source: own elaboration based on EC, 2017b.

Likewise, the results from an online public consultation on overcoming obstacles in border regions, launched on 21 September 2015, included in the EC CBR, confirmed that legal and administrative barriers are understood as the most relevant border obstacles for Europeans (EC, 2016). At the same time, several relevant non-legal and administrative types of cross-border obstacles, including language, physical accessibility, and socioeconomic related obstacles were identified (Figure 3). A

more detailed analysis of this survey data has shown that legal and administrative related obstacles account for almost 33% of the respondents' concerns, sociocultural related cross-border obstacles account for 29% (language being 16%), and cross-border physical accessibilities 24% (Medeiros, 2018a).

Place here: Figure 3. Relevance and frequency of cross-border obstacles to respondents to an EC online survey (%). Source: own elaboration based on EC, 2016.

It is rooted in this favourable policy context, in which legal and administrative cross-border obstacles were recognised as the most relevant to European citizens, following the CBR initiative, that the *b-solutions* initiative was launched. Crucially, the EC action plan set out in the Communication “Boosting Growth and Cohesion in EU Border Regions”, provided one important step forward to launch an open call for pilot projects aiming at resolving one or more border-specific legal or administrative problem(s), before the end of 2017. As expressed in the Communication “these projects will serve as a basis for exploring innovative ways to address border issues. Their results will be summarised in a final compendium that will be widely distributed and used to foster greater awareness and capacity among key players. The call will be open to any public body willing to engage in identifying solutions to border issues within their area of competence” (EC, 2017a: 7).

In many instances, the *b-solutions* initiative provided the necessary boost for future cooperation and action. Following the implementation of the EU Interreg-A programmes, there is a step-by-step process that needs to be followed to achieve the end-goal of projects and programmes, starting with initial mutual contacts, and ending with concrete policy measures to solve border problems (Medeiros, 2014a). Crucially, if one adds the Advice Cases to the Pilot Actions, around 15 projects associate Interreg-A programmes as key policy vehicles to link the *b-solutions* initiative. For instance, based on the analysed *b-solutions* reports, these initiatives are referred to as fundamental to

inserting the *b-solutions* projects into possible future programming lines, and it has also been suggested they act as a potential follow-up for finalising the work initiated via the *b-solutions*, particularly in the next Cohesion Policy programming period (2021-27).

Indeed, a detailed reading of the *b-solutions* reports confirms their relevance to collecting concrete and replicable actions aimed at identifying and testing solutions to cross-border obstacles of a legal and administrative nature. From a purely geographical prism one can detect, however, a quite unbalanced distribution of these cases across Europe. As expected, the Benelux and France-Germany area, known for its high cross-border institutional maturity (Perkmann, 1999), integration (Durand & Decoville, 2019b), and cross-border flows intensity (Medeiros, 2017), implemented 40% of these cases. The remaining were also concentrated in a relatively limited territory, encompassing the Portuguese-Spanish, Spanish-French, Latvian-Lithuanian, and Italian-Slovenian border areas; the Hungarian borders with Austria, Slovakia and Croatia; and the Czech border with Germany and Poland (Fig. 4).

Place here Figure 4. Location of the b-solution approved projects and combined barrier effect in the INTERREG-A border NUTS III. Source: own elaboration

Aiming to mitigate the barrier effect, mainly on legal and administrative borders, the *b-solutions* cases' geographical distribution does not necessarily positively correlate with the EU cross-border areas where the combined barrier effect is higher (Fig. 4). Even so, several projects are located in such areas (Lithuania-Latvia, Hungary-Austria-Slovakia, Slovenia-Italy and Portugal-Spain). This does not signify that the *b-solutions* lacks sufficient capacity to reduce the most persistent legal and administrative barriers. In fact, based on the DG REGIO inventory of border obstacles, the borders of Northwest Europe are the ones with more such cross-border obstacles (Medeiros 2018a), therefore, it is understandable that many *b-solutions* projects were implemented there.

A useful starting point to better understand the location of the *b-solutions* cases was provided by AEBR, based on the selection criteria that were used. This confirmed that a few proposals from EU border areas with high cross-border institutional maturity (e.g. Scandinavia) were submitted but turned out not to be relevant for the *b-solutions* call. Moreover, AEBR has only received technical inquiries on different aspects of the *b-solutions* initiative (financing conditions, eligibility criteria, etc.). Generally, those who requested information and who matched the eligibility criteria decided to submit an application. Then again, there were several potential applicants who showed a real interest in the *b-solution* initiative, but simply did not match the eligibility criteria. For example, some were entities located on maritime or external borders and, therefore, not eligible to apply.

Most importantly, however, the reading of the case reports allows for the conclusion that the *b-solutions* cases presented viable solutions to mitigate/solve cross-border legal and administrative barriers, in all studied areas/themes (Table 1 and Appendix A). However, in many instances, these require a tailor-made and a multi-level policy approach, as there is a myriad of different legislative and administrative scenarios across EU member states. Another important conclusion, as regards the Pilot Actions, is that the EU brand, associated with the *b-solutions* project, facilitated the implementation of several solutions. In other words, the consulted entities and authorities in several *b-solutions* projects only agreed to participate because of the fact that this is an EU funded initiative. This can be either a sign of institutional vanity/status, and/or a sign of the limited interest from some of these entities in solving cross-border related obstacles.

Table 1. List of b-solution projects. Main goals, border area and main barrier.

Pilot Actions			
Name of the applicant(s)	Title	Border(s)	Main Border Barrier
Eurometropolis Lille-Kortrijk-Tournai; EGTC	Cross-border mobility in dual education in the Eurometropolis	BE-FR	Employment
Region Friuli Venezia Giulia	XBORDER-WORK: tackling administrative issues that hinder free movement of workers	IT-SI	Employment
Province of Limburg	Roadmap for recognition of qualifications for highly demanded professions	DE-NL	Employment
Lower Austrian Government, Department of Pre-Schools/Kindergartens and Schools	Bilingualism in the Tri-Border Region AT-HU-SK	AT-HU-SK	Multilingualism
EGTC GO	Cross-border Public Urban Mobility Plan (CB-PUMP	IT-SI	(Public) Transports
Consortium of the Working Community of the Pyrenees	When EMS (emergency medical systems) erase borders	ES-FR	Healthcare
Eurodistrict PAMINA EGTC	Cooperation protocol on administrative procedures on health insurance for frontier workers	FR-DE	Institutional Cooperation
Latvian Environment, Geology and Meteorology Centre	Lithuanian – Latvian institutional cooperation on cross-border groundwater management	LV-LT	Institutional Cooperation
Summit Secretariat of the Greater Region EGTC	GeoConnectGR	BR-LU-FR-DE	Institutional Cooperation
Pannon EGTC ltd	CrossMarket – Enhance cross-border selling at local farmers’ market	HR-HU	Institutional Cooperation
Advice Cases			
Name of the applicant(s)	Title	Border(s)	Main Border Barrier
Eurometropolis Lille-Kortrijk-Tournai; EGTC	Cross-border mobility in dual education in the Eurometropolis	BE-FR	Employment
Region Friuli Venezia Giulia	XBORDER-WORK: tackling administrative issues that hinder free movement of workers	IT-SI	Employment

Province of Limburg	Roadmap for recognition of qualifications for highly demanded professions	DE-NL	Employment
Lower Austrian Government, Department of Pre-Schools/Kindergartens and Schools	Bilingualism in the Tri-Border Region AT-HU-SK	AT-HU-SK	Multilingualism
EGTC GO	Cross-border Public Urban Mobility Plan (CB-PUMP)	IT-SI	(Public) Transports
Consortium of the Working Community of the Pyrenees	When EMS (emergency medical systems) erase borders	ES-FR	Healthcare
Eurodistrict PAMINA EGTC	Cooperation protocol on administrative procedures on health insurance for frontier workers	FR-DE	Institutional Cooperation
Oost-Vlaanderen Province - Euregio Scheldemond	183 days rule obstructing cross-border mobility	BE-NE	Employment.
Lazdijai District Municipality	Juridical obstacles in establishment and financing of trans-national business incubator	LT-PL	Employment
The Economic Board Arnhem-Nijmegen	Dutch-German cross-border employment of students originally from outside the EU	DE-NE	Employment
Euregio Rhein-Maas-nord	Cross-border work for non-EU citizens	DE-NL	Employment
Borderland Association "Nasza Suwalszczyzna" (NGO)	Current social and health insurance regulations as problem for borderland inhabitants working on both sides of border at the same time	PL-LT	Employment
Duero-Douro EGTC	Double personality is a single reality: working in Portugal and paying taxes in Spain due to legal and/or administrative impediments	ES-PT	Employment
Euregio Meuse-Rhine EGTC	Stop geo-blocking! Overcoming discrimination and developing intercultural competences by providing access to online content across borders	NE-DE; BE-NE; BE-DE	Multilingualism
River Minho EGTC	MOBITRANS – Boosting Minho River Cross-Border Mobility	PT-ES	(Public) Transport
Eurodistrict Strasbourg-Ortenau EGTC	European solution for a vignette for air pollution control	FR-DE	(Public) Transport
French Riviera Chamber of Commerce - CCINCA	SeaFlix_Cross Border Mobility	FR-MC-IT	(Public) Transport

Ministry of the German-speaking Community	Tackling cross-border obstacles regarding E-bike sharing infrastructure	DE-BE	(Public) Transport
Autonomous Port of Strasbourg	Cross border rail connectivity for the Port of Strasbourg	FR-DE	(Public) Transport
Euroregion Neisse-Nisa-Nysa	Trilateral bridge in Euroregion Neisse-Nisa-Nysa	CZ-DE-PL	(Public) Transport
Municipalities of Chaves and Verín	Launch of a regular passenger transport, with cabotage, between Chaves and Verín	PT-ES	(Public) Transport
Municipality of Woensdrecht	Ambulances without Borders: towards sustainable cooperation between emergency services	BE-NL	Healthcare
Valga Municipality	Cross-border health care between twin cities Valga - Valka	EE-LV	Healthcare
Cerdanya Hospital EGTC	Speedy mutual recognition of qualifications for healthcare professionals	ES-FR	Healthcare
Kalvarija Municipality	Development of trans-border water supply network	LT-PL	Healthcare
French Regional Health Agency “Grand Est”	Cross-border Emergency Medical Services	FR-BE	Healthcare
Euroregion Nisa, Regional association	Cross-border healthcare	CZ-DE-PL	Healthcare
Eucor - The European Campus	Making EGTCs more powerful: legal certainty for provision of personnel to the EGTC	DE-FR-CH	Institutional Cooperation
QuattroPole e.V. - Luxembourg, Metz, Saarbrücken, Trier	Cross-border tourism package	LU-FR-DE	Institutional Cooperation
Vilkaviskis District Municipality	Cooperation protocol aimed at simplifying LT-PL cross-border institutional cooperation in emergency management	LT-PL	Institutional Cooperation
Galicia-Norte de Portugal EGTC	Simplifying cross-border mobility of minors to carry out cultural or educational exchanges	ES-PT	Institutional Cooperation
Galician Food Quality Agency – AGACAL	Administrative common barriers blocking real implementation of environmental management system	ES-PT; ES-FR	Institutional Cooperation
Arrabona EGTC	Cross-border share of municipal management services	HU-SK	Institutional Cooperation
Winterswijk Municipality	Improvement of cross-border communication and care for cross-border children and young people	NL-DE	Institutional Cooperation

Provincie Oost-Vlaanderen – Euregio Scheldemond	Cross-border transport of CO2 as a resource for industrial processes	BE-NL	Institutional Cooperation
Pontevedra Province	Consolidation of the circular economy concerning the WEEE	ES-PT	Institutional Cooperation
University of Ruse “Angel Kanchev” - BRIE	Bulgarian-Romanian Institutional Cooperation Constraint - BRICC	RO-BG	Institutional Cooperation
Eurodistrict SaarMoselle EGTC	Shared cross-border public services: French-German crèches	FR-DE	Institutional Cooperation
Elvas Municipality	Join to Protect Children	PT-ES	Institutional Cooperation
EGTC GO	Cross-border e-procurement	IT-SI	eGovernment

Source: Data from AEBR. Own elaboration.

Likewise, this analysis confirmed the intricate relation between distinct border barriers, some of which (i.e. language, legal and administrative, etc.) can mitigate other barriers, such as accessibility and socioeconomic ones. Indeed, in a continent and a world in which countries are mostly ruled by their national governments, the work carried out by the EC in identifying the main border obstacles across European borders, and then pinpointing concrete solutions to reduce them as much as possible, offers a concrete platform to achieve the policy goal of a more integrated European territory.

One key message from the CBR was that legal and/or administrative obstacles negatively affect labour mobility across European borders. In this regard, two Pilot Actions were concerned with finding concrete solutions to reducing border barriers resulting from different taxation systems and mutual recognition of qualifications. Likewise, border barriers associated with accessing healthcare on the other side of the border are analysed by one Pilot Action and six Advice Cases. Two additional projects focus their attention on the need to improve cross-border public transportation by developing integrated cross-border urban transport systems. Five other Advice Cases cover other aspects associated with cross-border transport. These concerns are all the more relevant as cross-border accessibility was identified as the third most relevant barrier to Europeans in the CBR.ⁱⁱ These concerns were recently debated in an EU Conference on cross-border transport.ⁱⁱⁱ

Finally, issues connected with language and institutional barriers, particularly in relation to education, the environment, mapping systems, trade processes, and medical emergencies, were analysed with potential concrete solutions being advanced in all cases, which can be replicated in other EU cross-border areas. In all, the majority of the Pilot Actions can be fitted within the three most cited border barriers from the CBR online public consultation on overcoming obstacles in border regions (Table 2). The fact that the *b-solutions* initiative is focused on legal and administrative cross-border obstacles explains why pilot actions and advice cases have not tackled poor connectivity and cultural differences related obstacles, amongst others. Even so, one can suggest that specific projects in the next *b-solutions* phase can also focus on potential solutions to solving legal-administrative

barriers associated with: (i) cross-border rail bottlenecks; (ii) institutional trust; (iii) information, communication and technology related barriers.

Table 2. Top 20 specific border barriers mentioned in the CBR

Type of Barrier	%	N°	N°
		Pilot Actions	Advice Cases
Language	15.62	1	0
Legal Asymmetries (tax-visas-laws)	13.51	3	8
Public Transport / Transport	8.95	2	7
Poor Connectivity	8.14	0	0
Public Authorities' Involvement	7.24	0	0
Economic Disparities	6.83	0	0
Administrative Asymmetries	6.59	0	1
Education	4.15	0	1
Labour Market	3.99	2	6
Rail Connections	3.01	0	0
Cultural Differences	3.01	0	0
Health	2.69	2	5
Trust	2.60	0	0
Transport Rules, Regulations, Prices	1.95	0	0
EU Bureaucracy and Budget	1.71	0	0
Information	1.55	0	0
Fiscal Issues	1.22	0	2
Use of Technology / E-services	1.06	0	2
Other	6.18	0	1
Total	100	10	33

Source: Own elaboration based on the EC online public consultation on overcoming
obstacles in border regions

Unlike the Pilot Actions, the 33 Advice Cases were slightly better distributed across the European borders (see Fig. 4). Even so, 23 cases (70%) were concentrated in the Benelux + Germany + France + Spain + Portugal border areas. Therefore, the next *b-solutions* phase should also make the necessary arrangements to better distribute the future selected cases. On a positive note, the thematic areas covered by the Advice Cases are all clearly relevant to the reduction of legal-administrative border barriers, following from their identification by the CBR. One can propose, however, that in the following programming phases, more projects could focus on border barriers directly produced by the presence of different languages, even though they (language barriers) are transversal to a large dataset of many other border barriers.

Indeed, a generic overview of the *b-solutions* projects tackling similar obstacles, as in the cases of transport cabotage issues (Portugal-Spain + Italy-Slovenia), the problems in the use of ambulances (Belgium-Netherlands and Belgium-France) and recognition of qualifications (Hospital in Cerdanya + Czech Republic-Germany-Poland - Euroregion Nisa - Trilateral Bridge). In addition, there are particular cases signalling difficulties in cross-border medical care (Valga Hospital - Estonia and its twin city Valka - Latvia + Euroregion Nisa - Cross-border healthcare - Czech Republic-Germany-Poland), double taxation and insurance cases of part-time commuters (e.g. Advice Cases submitted by EGTC Duero Douro - Double personality is a single reality: working in Portugal and paying taxes in Spain due to legal and/or administrative impediments - and Province Oost-Vlaanderen - 183 days rule obstructing cross-border mobility), complex administrative documents for cross-border school activities (EGTC Galicia-Norte de Portugal - Simplifying cross-border mobility of minors to carry out cultural or educational exchanges), geo-blocking (Euregio Meuse-Rhine EGTC - Stop geo-blocking!). Overcoming discrimination and developing intercultural competencies by

providing access to online content across borders), lack of harmonisation of standards, e-procurement (EGTC GO - Cross-border e-procurement), etc.

One overall outcome from the implementation of the first phase of *b-solutions*, is that crucial and concrete solutions to mitigate border barriers of all sorts (transport, trade, health, education, language, taxation, environmental systems, mapping system, etc.) were presented. In some cases, the final and perfect solution has not yet been achieved. It is important to stress that the Advice Cases were not about achieving a solution, but only for the expert to propose a solution. However, the first step was put in place following the involvement of multiple entities and actors willing to come up with a common solution to a specific barrier.

To add a more detailed flavour to the analysis, examples of three pilot actions aimed at tackling cross-border barriers related to employment are provided (see detailed information in Appendix A). One of them was associated with the presence of dual education contract systems and labour agreements linked to different legal statutes of apprentices, in the Eurometropolis Lille-Kortrijk-Tournai (BE-FR) cross-border area. As a proposed solution, it was suggested that a feasible framework agreement could be elaborated for all competent authorities of the territory to test a cross-border apprenticeship contract, thus allowing some apprentices to perform their apprenticeship on both sides of the border. Instead, in the cross-border region shared by Friuli-Venezia-Giulia (IT) and Slovenia, cross border workers who are residents in one country, but live in another, have to deal with over taxation and limitations concerning the access to social security benefits. The proposed solution to mitigate these obstacles was the creation of a bilingual form through which the cross-border worker can share data concerning his/her income in one country and report it to the tax authorities and social security services in the other one. Finally, in the province of Limburg (DE-NL) an obstacle was found in the procedures concerning recognition of qualifications, which are often non-transparent, complex and time-consuming. The suggested solution was to produce practical documents with the

involvement of competent authorities, namely a roadmap and a factsheet to provide clear information for the recognition of qualifications concerning professions in high demand.

B-SOLUTIONS, EGTCs AND THE EUROPEAN CROSS-BORDER MECHANISM.

One conclusion from the reading of the *b-solutions* case reports was that, in several instances, existing EGTCs have already served as concrete and valid platforms to mitigate cross-border legal-administrative obstacles. This could also explain why Scandinavian countries presented so few project proposals to the *b-solutions* as they are known for their reluctance to implement EGTCs. From a different perspective, the lack of effective cross-border planning instruments across Europe limits the reduction of several cross-border barriers (Durand and Decoville, 2018; Medeiros, 2014c), particularly in managing cross-border accessibility (Medeiros, 2019b) and public-services (ESPON, 2019) in a more effective manner, namely at the regional level.

Fundamentally, language turned out to be regarded as a central barrier to the reduction of legal and administrative barriers of all sorts. Does this mean that all European countries should produce documentation in a common language (e.g. English)? Perhaps this could be a final solution to significantly reduce legal-administrative barriers across Europe, alongside a common currency (the Euro only covers 19 countries), common fiscal/social security regulations, etc. In the meantime, the presented *b-solutions* initiative can be seen as an intermediary step to a potential future ‘one Europe one System’ paradigm, in which legal and administrative barriers would be a shadow of a distant and troubling past.

As it stands, concrete measures need to be forged in the EU border areas, always involving border stakeholders and actors, as they have the deep knowledge on how border areas function and what concrete solutions can be advanced to solve them (Guillermo-Ramirez, 2018). This is another positive conclusion from the *b-solutions* initiative: the involvement of known players (border

university research centres, ECTCs, Euroregions, and other border entities) in implementing these projects, as they have built up, not only the necessary knowledge on their border areas' idiosyncrasies, but also the necessary institutional networks with key players (local, regional, national and EU) which can effectively change regulations and legislation with a view to reducing border barriers.

One particular question posed in the AEBR questionnaire to all participants was whether the European Cross-Border Mechanism (ECBM) could be used by EU member states to solve the identified barrier. In simple terms, the ECBM is a regulation that would allow one-member state to apply the law of a neighbouring member state to facilitate cross-border projects. In brief, this instrument poses several legal, budgetary and institutional challenges. For instance by empowering cross-border areas to “manage their own integration through projects (functional-horizontal) and institutionalise a policy pathway for finding dedicated solutions to border-specific legal or administrative obstacles (institutional-vertical)” (Engl & Evrard, 2020: 15) the ECBM has the potential to bypass one out of many ‘daily absurdities’ resulting from the ‘clash’ of two (or more) national systems in a (cross-)border area which is supposed to be functional within a dynamic supranational system, which demands more flexibility. In this scenario, the *b-solutions* role in sustaining the ECBM is to identify the potential application of this mechanism in each one of the cases related to the financed project.

As the reading of Table 3 confirms, there is a myriad of different positions from each project on the potential use of the ECBM. It should be taken into consideration that the experts had different levels of awareness of the ECBM. The replies to the question about the potential applicability of the ECBM are to be regarded as tentative replies, and, in some cases, not based on sound knowledge of the matter. As a consequence, some replies need to be read carefully. In certain instances, the optimal solution would be the implementation of a hypothetical general EU regulation overseeing all member states (the previously mentioned one Europe one System paradigm). In the absence of this possibility

in the near future, in other cases, the ECBM is viewed as a potential solution to mitigate certain border barriers, particularly those related to e-government, cross-border transport, health, etc.

Table 3 – Potential use of the ECBM in the Advice Cases taken by the replies provided by the experts who wrote the reports

Type of Barrier	YES	NO	Partial
A - eGovernment	1	0	0
B - Employment	1	2	2
C - Evidence and Data	0	0	0
D - Health	3	2	0
E - Information Services	0	1	1
F - Institutional Cooperation	4	4	1
G - Multilingualism	1	0	0
H - Transport	3	5	2
Total	13	14	6

Source: Own elaboration

Curiously, there are cases in which the ECBM could be applied between some but not all countries involved (e.g. for employment). In other cases, a bilateral agreement seems more plausible to solve a particular border obstacle. In several other cases, the ECBM is simply not necessary, not applicable/feasible, or not even considered, to solve the identified border obstacle. Oddly, one case (e.g. cross-border transport), it is stated that even between two member states (Portugal and Spain), the possibility to use the ECBM has not yet been contemplated. Finally, in a few cases, the ECBM is regarded as an optimal solution to solve the detected cross-border barrier. In sum, the number of

projects where the ECBM was or was not seen as a potential solution to reduce the identified border barrier, was more or less even.

CONCLUSIONS

Based on all the aforementioned elements, *b-solutions* can be regarded as a successful initiative in several ways. From a policy perspective, the themes of the approved cases proved to be relevant in view of the persisting legal-administrative cross-border barriers across Europe. Indeed, from the policy results and impacts viewpoint, the *b-solutions* clearly provided concrete and replicable solutions to mitigate some of the most relevant legal and administrative cross-border barriers within Europe, as a follow up of the EU CBR in identifying the most persistent border obstacles. Likewise, the *b-solutions* provided an initial pilot platform to test the feasibility of the ECBM, as one of the most potent EU legislative remedies to combat cross-border barriers. In short, and based on the reading of the 10 Pilot Actions and the 33 Advice Cases, it is possible to conclude that the *b-solutions* have provided crucial knowledge to reducing all sorts of legal and administrative border obstacles, and consequently to increasing the European territorial integration process.

Under this scenario, one would expect the continuation of EU support for the *b-solutions* initiative. Despite been addressed to the whole EU territory (land internal border regions), and being advertised in all border regions, in future phases, however, it needs to be implemented across all EU border areas to increase its effectiveness. In fact, a more financially robust *b-solutions* initiative, covering around 50 new case studies is expected to take place soon. Their selection should be based on the most persistent barriers in the selected border area. There is also a case to defend the allocation of more case studies in cross-border areas facing lower levels of cross-border permeability in all barrier effect dimensions, in order to include more peripheral countries. This would require a deeper analysis, which would require, for instance, visiting every cross-border area and interviewing selected

stakeholders. Another potential approach could be to define a minimum/maximum number of case studies for each EU border region, so all are included in the next *b-solutions* project phase. Here, AEBR could act as an ‘adviser body’ so all applicants can better align the project applications to the main goals of the *b-solutions* for this proposed next phase.

It is hard to ensure that all the proposed solutions can be fully replicated in all EU border regions, since legal and administrative frameworks vary substantially across EU borders. Even so, there is no reason not to use the proposed solutions as a potential blueprint framework to be applied elsewhere. It goes without saying, however, that the presented *b-solutions* cases are a drop in the ocean of European border needs when it comes to the presence of border barriers, which hinder a fully integrated European space. Indeed, vast parts of the European territory were not covered by the *b-solutions* initiative. To be effective, however, the proposed solutions need to be applied and systematically monitored. This means that a far-reaching evaluation of the *b-solutions*’ contribution to a more integrated European territory requires further research.

In the meantime, the valuable inputs from the *b-solutions* projects have the potential to trigger a new phase for the reinforcement of the European integration process, by providing potential replicable solutions to mitigate cross-border barriers. Crucially, in perilous times marked by populist and separatist movements, the *b-solutions* initiative can be seen as a ray of light and hope for all that defend the EU project, by contributing to reinforcing a considerable degree of territorial unity.

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