

The European context Why obstacles matter- and how to tackle them.

The background of the ECBM proposal

Conference Legal accessibility among the Visegrad countries





Mapping cross-border obstacles (ISIG for CoE)

- Type of geographic area
- Level of solution (local, regional, national, EU)
- Perimeter of action (unilateral; bi/multi lateral)
- Topic (employment, transport,...)
- Nature of obstacles:
 - economic
 - legal/institutional: political dimension
 - technic/administrative: functional dimension
 - cultural
 - lack of knowledge: information dimension
 - lack of propensity to cooperate: inter-individual dimension



Mapping the cross border tool box:

Example of the Hospital of Cerdanya

- Funding tool: Interreg
- Governance tool: EGTC
- Obstacles linked with the specific activity of the hospital: many solved, not all
-> need of new tools.





How does a hospital work?

6 ISIG dimensions

- Functional (technical, administrative,...) dimension: health requires technics, care protocols
- Economic dimension: how to cover the cost of care? Role of market & public funding
- Political (institutional, legal) dimension: solidarity through social security; role of public authorities
- Information: opinions about health
- Cultural dimension (habits, ethics,...)
- Inter-individual dimension (propensity to cooperate): relations between nurses, doctors and patients



- Systemic nature of obstacles
- For a domestic hospital, a national frame exists to solve obstacles, build compromises between functional/ economic/ political/... logics
- In a CB context, such compromises are also possible, but there is no pre-existing framework: risk of delays, obstruction

What assessment of the CB hospital can we make so far ?

- It works, because patients want to live, nurses and doctors want to cure, and the ES/FR team is cohesive
- The hospital is a machine to solve obstacles
- **But too heavy “transaction costs” => idea of a new EU legal tool: ECBM**



ECBM draft regulation : 2 aspects

- 1: allow local stakeholders to propose solutions to overcome the CB obstacles they meet
- 2: Create a multi level process to manage bottom-up proposals

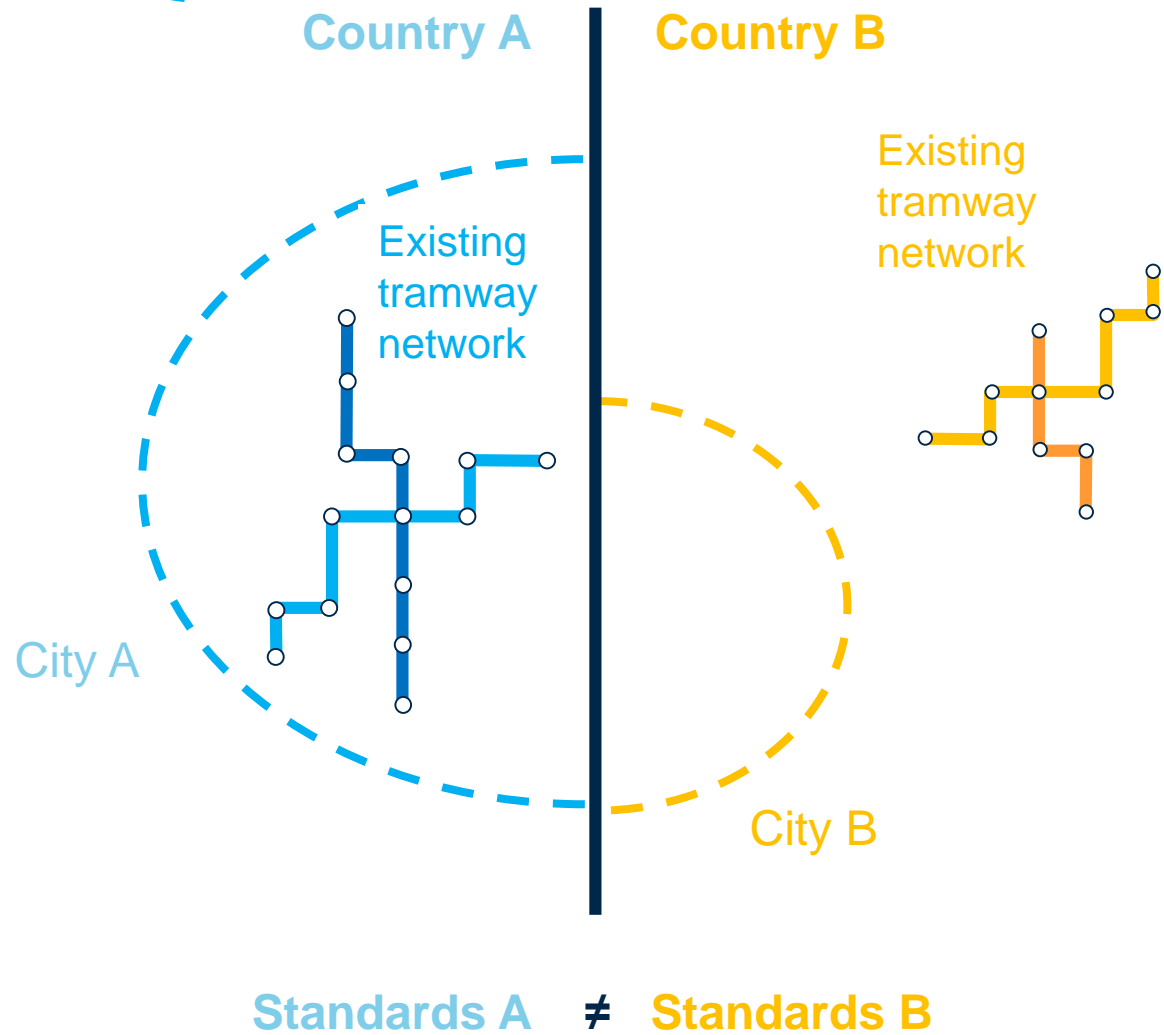
National decision can be + or -, but should be explicit and taken in a reasonable delay

Obligation to set up national/regional border coordination points in all MS

acting within a network monitored by the EU border coordination point



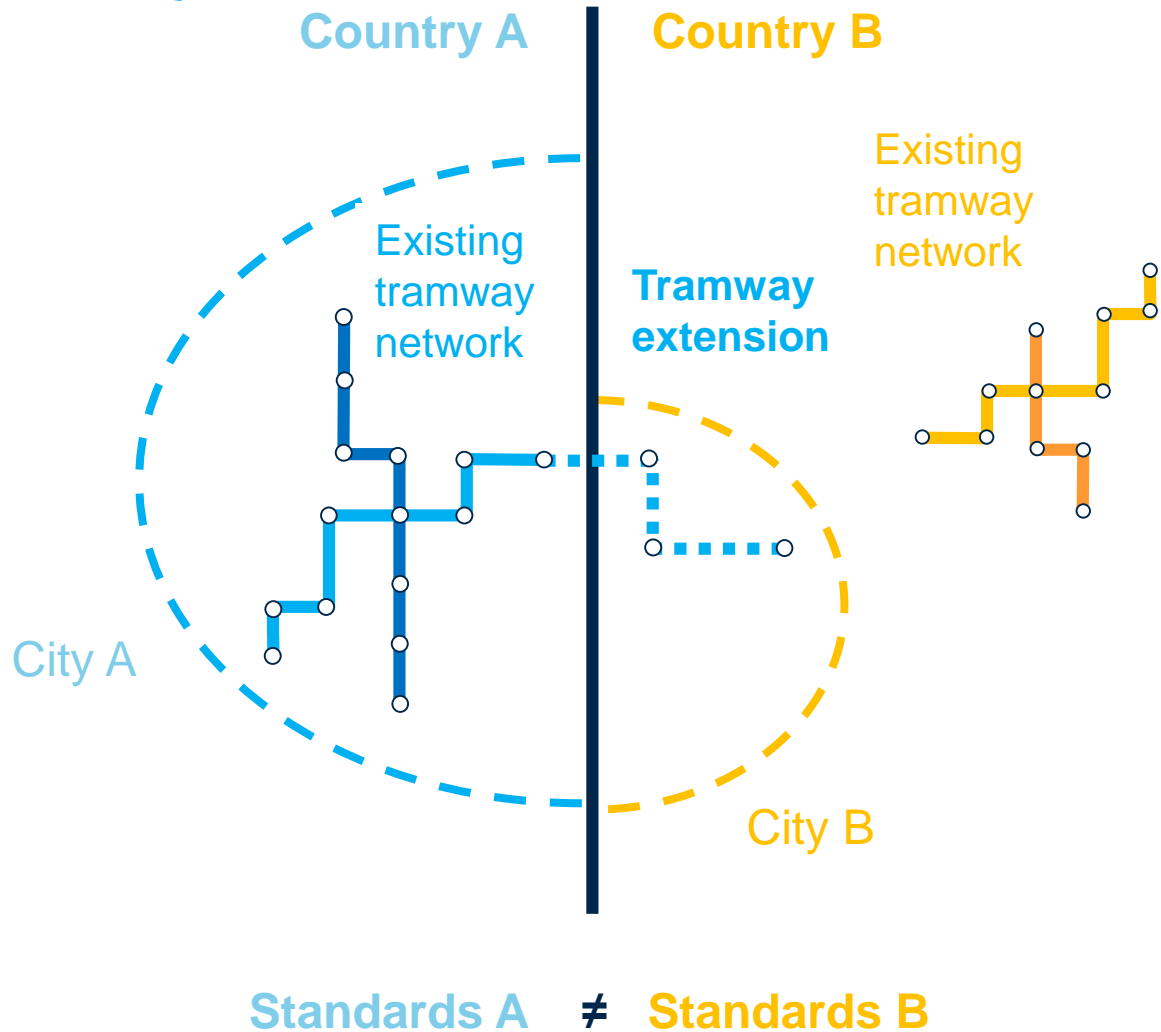
Example of ECBC in extending a tramway line



→ Need to extend a tramway line across the border; different standards applying



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Suggestion to apply standards of country A in country B only for this specific cross-border line

- **CB region:** identification of obstacles, and possible solutions
- **National level:** accept (or not) local solution; adapt legislation; coordinate on each border
- ✓ **different models: bilateral** (Aachen DE-FR treaty, ...); **multilateral** (Benelux, Nordic Council, Visegrad group...)
- **European level**



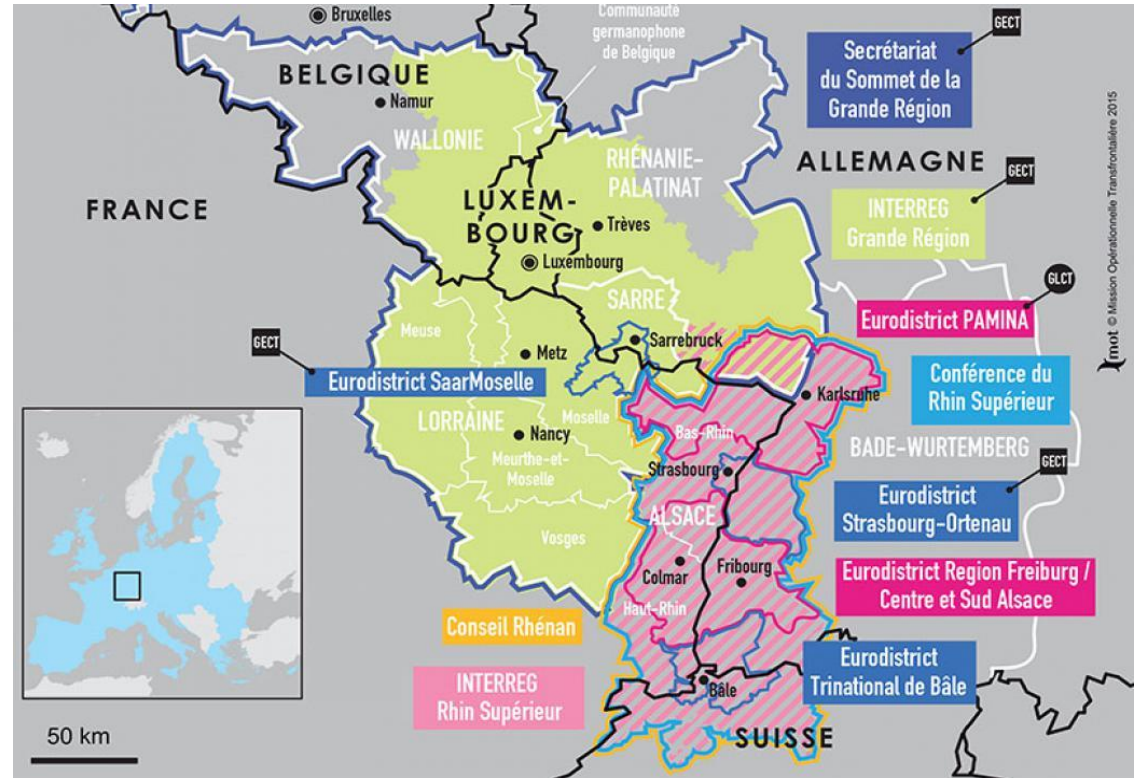
The DE FR example (Aachen Treaty, 22 January 2019); a chapter for CBC

« Appropriate competences, dedicated resources and accelerated procedures for local authorities and CB Euro-districts »

« Cross border Cooperation Committee» (CCC): National/federal States, Länder, Region, Départements, Strasbourg, MPs, Eurodistricts

« in charge of coordinating CB observation, (...) identifying priority projects, monitoring obstacles and elaborate proposals to address them, analyse the impact of new legislation »

Generalisation: ECBM regulation ?



Towards a European multi level platform ?

Different organizations (AEBR, CESCO, MOT,...) in several parts of Europe have a potential for coordination.

This would allow to:

- On a border, support local players
- Exchange experiences concerning the removal of obstacles between different borders
- Raise awareness of the remaining obstacles at higher levels of government; support the national level (future ECBM national contact points)
- Support the European level: European database of obstacles and solutions, fed by the network of organizations

Thank you !
Merci !

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