

Project note on the strategic project ‘Promotion of legal accessibility across the Slovak-Hungarian border’

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Between 2023 and 2029, CESCO (based in Budapest) and CESCO Carpathia (based in Košice) implement an ‘operation of strategic importance’ (OSI) under the Priority axis 3 of the INTERREG VI-A Hungary-Slovakia programme. The project, titled ‘Promotion of legal accessibility across the Slovak-Hungarian border’ (briefly: #ACCESS), aims at unfolding and eliminating cross-border legal and administrative obstacles to cross-border integration and mobility, in a systematic way, and in compliance with the first Interreg Specific Objective (ISO 1: better cooperation governance). The project fits into the process which started at European level with the Cross-Border Review project and, at national level, with the Legal accessibility initiative.

The Cross-Border Review project was launched by the that-time Commissioner for Regional Policy, Ms Corina Crețu in 2015. The project targeted the legal and administrative obstacles hampering stronger cross-border cohesion and increased mobility. The project lasted for 2 years and it ended with the publication of the Communication ‘Boosting Growth and Cohesion in the EU Border Regions’ in 2017. The Communication envisaged interventions in 10 fields including health services, transport or cooperation between statistical offices, among others. As a result of the project, the Border Focal Point providing support for the elimination of legal obstacles started its operation in 2018, and in the same year, the Commission launched an online platform for exchanges at the Futurium portal of the EU. Furthermore, the Commission assigned the Association of European Border Regions to manage the Border Solutions (briefly: B-Solutions) initiative through which the local and regional actors can identify obstacles whose elimination is supported through the assignment of experts, selected and delegated by AEER. Finally, a new Interreg Specific Objective has been incorporated in the Cohesion Policy Regulations in order to enable the cross-border programmes to support similar activities.

The Legal accessibility initiative was triggered by CESCO in 2014 when developing a proposal to the call of DG Justice. The proposal aiming the elimination of Central European cross-border obstacles was not successful but the Hungarian Ministry of Justice, which was involved as a partner in the project, found the initiative interesting enough to provide support to the implementation in six subsequent years, with a view to systematically unfold the prevailing legal and administrative obstacles around Hungary. The first project was implemented in 2016 and it included a broad stakeholder consultation process, the analysis of the legal background (nearly 250 legal acts) of the obstacles identified by the stakeholders, the compilation of European best practices related to the obstacles and drafting of recommendations for their solution (39 in total). During the next years, several topics have been analysed in detail, from cross-border rescue to the retail of local products, from the development of information platforms to the promotion of better regulative framework for the European Groupings of Territorial Cooperation, from the development of institutional frames for cross-border urban agglomerations to the simplification of cross-border public procurement rules, etc. With the support of the International Visegrad Fund, in 2018 and 2019, with the involvement of the experts of the four countries (CESCO Carpathia included), CESCO

compiled a proposal on the development of permanent mechanisms in the Visegrad area for eliminating legal and administrative obstacles.

Therefore, it was not by accident that the Joint Secretariat of the Interreg VI-A Hungary Slovakia Programme published a restricted call inviting CESCO and CESCO Carpathia to submit a proposal under the ISO1 specific objective. The proposal has been approved in April 2023 and it started on 1 May. Through the 6-year long project, the partners aim at systematically collecting, analysing and eliminating persisting legal and administrative obstacles along the shared border. These obstacles have a multi-faceted nature, including several sectors and life situations, different administrative levels and requiring diverse solutions. To mention but a few: the ambulance cars cannot cross the border with a purpose of rescue; the local products cannot be retailed across the border but through very complicated and costly procedures and it is impossible to develop a joint, cross-border trade mark for these products; the integration of cross-border public transport services is hindered by physical and legal obstacles; the recognition of the adoption of a baby by Slovak citizens living in Hungary is burdensome in Slovakia and vice versa; the social services are not available across the border which generates extra costs for the social institutions in peripheral border areas, etc.

The significance of the elimination of the obstacles may be demonstrated through the figures of cross-border mobility: more than 1,100 Slovakian pupils attend the elementary and secondary schools in Hungary; nearly 20,000 Slovak citizens live in the cross-border agglomerations of Bratislava and Košice (the two largest cities in Slovakia); the number of cross-border commuters is more than 10,000; and approximately 75% of the total turnover of the shopping centres located in Northern Hungary is produced by Slovak clients, etc.

The #ACCESS project offers a wide spectrum of activities to understand, to unfold, to properly reflect on the obstacles of the border area and to improve the conditions for mobility. The project involves a systematic identification of the existing obstacles experienced by the citizens; analysing the legal background of the obstacles; creating platforms of exchange of the competent authorities; elaboration of projects addressing the obstacles; operation of a permanent help desk collecting and providing information for border people, project owners and authorities on obstacles, solutions and conditions for cross-border mobility.

The activities are divided into two basic groups of interventions. The first one is called 'obstacle monitoring' that involves the systematic collection of obstacles encountered by the border citizens through surveys, interviews, an online information help desk and workshops of territorial reference groups to be set up in the cross-border urban agglomerations. The legal background is researched through interviews with the authorities and the analysis of relevant legal acts. The second group of interventions is the 'obstacle management' that contains numerous activities, like set-up and operation of expert groups involving relevant authorities who have knowledge and competence related to the sectoral field affected by the identified obstacle (interviews, workshops, study tours); compilation of existing best practices related to the identified obstacles (database used for adaptation and information); elaboration of textual recommendations for changing the relevant provisions – when necessary; development of project proposals which can enable the elimination of the obstacles, for instance, with the support of the cooperation programme.

One of the core activities of the project is to perform a wide spectrum of data-gathering and research within the frame of stakeholder consultation to identify obstacles. These activities aim to collect information on legal and administrative obstacles experienced by citizens who regularly

cross the border. Gathering of information will be implemented through surveys that address different life situations of people and their experience with borders and border crossings, these are 'cross-border workers (employed by companies along the border)'; 'cross-border students'; 'residents (cross-border CBRM areas of Bratislava and Košice)'; 'buyers (of the shopping centres along the border)'; 'CB project owners (beneficiaries of 2007-2013, 2014-2020)'.

Another core activity of the project is the development of a solution gateway which will include a permanently operational information and dissemination helpdesk through which the citizens may report the obstacles met, find the relevant national and EU-level legal provisions and best practices showing the way, how to resolve the obstacle. The database will also contain short movies portraying the legal obstacles in everyday life and video tutorials explaining the cases in an easily understandable way.

Three large events are planned to be organised within the frame of the strategic project. The first event was the kick-off conference that was hosted by CESCO Carpathia on 14th of September in Košice, Slovakia. The conference underlined the importance of promoting the context of legal accessibility from the EU to the local level. Participants at the conference and the round-table discussants presented their professional approaches, a comprehensive tool for resolving obstacles and highlighted that removal of legal, administrative and other barriers might have a direct impact on quality of life in the border region.

Moreover, two more events are expected to be implemented within the frame of the #ACCESS project, namely an international professional event dedicated to obstacle management that is planned to take place during the Hungarian EU presidency in 2024, in Budapest, and the closing conference which is expected to take place in 2029 in Hungary.

The results of the project will be summarised in three basic documents. The first is a project report that will give an overview on the contexts of the activities, describe the difficulties and the achieved results. The second is a methodological guide that will facilitate the replicability of the project in other border areas. The third is a scientific report which will concentrate on the theoretical basis of the legal obstacles, the consequences of the differences in national legal and administrative systems and the impacts of the EU legislation on cross-border reality.

The project will be coupled with a massive promotion package in order to reach as many border citizens as possible. This means that the achieved information will be disseminated through online articles, social media posts and 16 bilingual billboards. All these promotion tools aim to inform border citizens on the opportunities, to draw attention to the new services and to encourage border citizens to communicate the obstacles that they face. Moreover, the project partners attempt to draw the attention of the national authorities to specific situations at the border, hence making them more open towards the articulated problems by the citizens.

The progress of the project can be followed through its dedicated website:

<https://access.cesci-net.eu/en/>