



**Final report**

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## 1 Legal accessibility in Europe and along the Hungarian borders

Apparently, the beginning of the 2020s is bringing along a new era for the European Union as there are several shocks (the migrant crisis, the Brexit, the COVID-19 pandemic) challenging the core values and achievements of the EU. These events undoubtedly questioned the idea of the borderless Europe with free movement of people, goods, services and capital and resulted in re-design of the priorities. However, crossing the border for work, family visits, public services, entertainment and many other reasons are already a – hopefully irreversible – reality for EU citizens. Furthermore, cross-border regions cover about 40% of the territory of the EU and nearly one third of the EU population lives in these regions who are everyday affected by open borders or suffer from the lack of it.

Consequently, the diverse issues originating from the still persisting shortages of legal harmonisation within the EU are calling for solutions louder than ever especially when stakes are as high as the free movement of healthcare workers across the borders during a global pandemic. While the mandatory legislation to the member states is in constant growth and the relevant rules are gradually integrated into the legal system of each country, experience shows that the differences between the administrative systems and the legal background still generates a number of legal and administrative obstacles that make the everyday life of border people and the success of cross-border cooperation difficult.

In August 2015, the European Commissioner for Regional Policy launched a project titled Cross-border Review<sup>1</sup> aiming at identifying obstacles, as the establishment of the Single Market and the equal management of the EU citizens' rights are impossible without the elimination of these problems.

The project itself lasted for a year and a half and

- on the one hand, it included the compilation of an expert study (*Easing legal and administrative obstacles in EU border regions*<sup>2</sup>), which summarised and analysed the existing obstacles as a result of a comprehensive research concerning the European internal borders;
- it launched a database<sup>3</sup> with information about the obstacles and on good practices eliminating them;

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

<sup>2</sup> See: [https://ec.europa.eu/regional\\_policy/en/information/publications/studies/2017/easing-legal-and-administrative-obstacles-in-eu-border-regions](https://ec.europa.eu/regional_policy/en/information/publications/studies/2017/easing-legal-and-administrative-obstacles-in-eu-border-regions)

<sup>3</sup> See: [http://ec.europa.eu/regional\\_policy/sources/policy/cooperation/european-territorial/cross-border/factsheets/list.cfm](http://ec.europa.eu/regional_policy/sources/policy/cooperation/european-territorial/cross-border/factsheets/list.cfm)

- as well as, it included a wide-ranging consultation process (online questionnaires<sup>4</sup>; consultation workshops at 11 locations; expert working group meetings), which enabled the involvement of the experiences of local actors, in order to draw up a joint EU report.

As a result of the project, which was completed at the beginning of 2017, the Commission issued a Communication that was introduced at the international conference held in Brussels, on 20<sup>th</sup> of September 2017.

The Communication, *Boosting Growth and Cohesion in EU Border Regions*<sup>5</sup> highlights that the significance of the problems on the border regions is arising from the fact that these regions are covering about 40% of the territory of the EU, comprising almost one third of the EU's population living there, and producing also one third of the EU's GDP. 1.3 million EU workers pass the border for commuting every day. Researchers at the Polytechnic University of Milan have shown that elimination of all existing administrative obstacles would increase the GDP of these regions by more than 8%<sup>6</sup>.

The Communication identified 10 particular fields of interventions in order to gradually eliminate the obstacles and it reported about setting up of a Border Focal Point<sup>7</sup> (BFP) within the DG REGIO, which can be the forum and coordinator of knowledge-sharing, relating to the accessibility of borders.

BFP started operating at the beginning of 2018, when the DG REGIO launched the platform 'Boosting' on the EU's Futurium portal. At the same time, implementation of the 10 actions of the Communication began, too. Among others, the EU regulation on the non-discrimination of cross-border online services (the so-called Geo-blocking Regulation<sup>8</sup>) can be identified as a result of this process. Likewise, the call for B-Solutions<sup>9</sup> was announced with the support of the DG REGIO, by the AEBR. In this call, local actors could identify the obstacles to be resolved and they could formulate suggestions for their solutions. Within the framework of the B-Solutions initiatives, local and regional authorities and delegated experts presented 90 case studies altogether. Obstacles which are to be resolved affect many areas, from recognition of

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<sup>4</sup> See: [http://ec.europa.eu/regional\\_policy/en/newsroom/consultations/overcoming-obstacles-border-regions/](http://ec.europa.eu/regional_policy/en/newsroom/consultations/overcoming-obstacles-border-regions/)

<sup>5</sup> See: [https://ec.europa.eu/regional\\_policy/en/information/publications/communications/2017/boosting-growth-and-cohesion-in-eu-border-regions](https://ec.europa.eu/regional_policy/en/information/publications/communications/2017/boosting-growth-and-cohesion-in-eu-border-regions)

<sup>6</sup> See: Camagni et al. (2017): Quantification of the effects of legal and administrative border obstacles in land border regions (EC, Brussels) <https://publications.europa.eu/en/publication-detail/-/publication/151ca695-b92f-11e7-a7f8-01aa75ed71a1/language-en/format-PDF>

<sup>7</sup> See: <https://ec.europa.eu/futurium/en/border-regions/terms/all/Border%20Focal%20Point>

<sup>8</sup> See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32018R0302>

<sup>9</sup> See: <https://www.b-solutionsproject.com/>

qualifications, through provision of bilingualism to the area of regulating small-producers' cross-border appearance.

In parallel with the initiative of the Commission, the Luxembourg Presidency initiated a consultation process in the second half of 2015 on a new legal instrument, the so-called *European Cross-Border Convention* (ECBC). The ECBC was designed to target problems arising from the different regulatory environment of the neighbouring countries in a way that the application of the relevant legislation would be accepted in the neighbouring country temporarily and with a territorial limit. The Ministry of Foreign Affairs and Trade of Hungary and CESCO were also members of the working group set up by the Luxembourg Presidency. The working group submitted its proposal for a new legal instrument to be applied on a voluntary basis to the European Commission in June 2017. The proposal received a positive response and was included in the aforementioned Commission Communication. By May 2018, the initiative was included in the Cohesion Policy regulation package for the new budget period, now titled as *European Cross-Border Mechanism* (ECBM)<sup>10</sup>.

Unfortunately, some Member States opposed the proposal, therefore, finally it has not been included in the Cohesion Policy package. However, the recent COVID crisis and the unharmonised national measures clearly showed, how much we need an institutionalised solution which can guarantee cross-border mobility and flows even during a pandemic. This need was also justified by the interest that was shown in the joint initiative called *European Cross-Border Citizens' Alliance* which was launched in 2020 by the European Committee of the Regions (CoR), the Association of European Border Regions (AEBR), the Mission Opérationnelle Transfrontalière (MOT) and the Central European Service for Cross-border Initiatives (CESCI). It is an initiative that aims to better the life of European citizens living in the EU's border regions

In Hungary, CESCO implemented the first *Legal Accessibility* project in 2016 with the support of the Ministry of Justice. The *first project* was successfully completed with the help of 10 stakeholder workshops, more than 30 interviews, a compilation of European good practices and the survey of nearly 250 laws. The staff of CESCO could expose the background for a total of 39 legal-administrative obstacles, and where it was necessary, provided legal recommendations based on good European practices. The nearly 600-page documentation gives special attention to four areas (cross-border mobility, healthcare, labour mobility and short supply chains - local products) and addresses two horizontal themes that can help the systematic (non-occasional) handling of obstacles: the first outlines the potential, institutional mechanisms of accessibility, while the second targets the elimination of the lack of information.

With the support of the Ministry, the association continued to work on four topics in 2017. Within the framework of the *second Legal Accessibility project*, firstly, it proposed to facilitate the cross-border movement of ambulance cars; secondly, it summarised possible solutions for the cross-border trade of local products; thirdly, it has developed a draft legislation to assist

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<sup>10</sup> See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A373%3AFIN>

the adoption of the Serbian EGTC Act (with the assistance of CESCO Balkans, the association also organised an international conference with some 200 participants in Novi Sad); and investigated the sources of information available for cross-border interactions related to different life situations and suggested their integration ("all in one place").

In parallel with the project, at the request of the Minister of Justice, the staff of CESCO drafted a proposal for setting up an inter-ministerial working group for "obstacle elimination", as well as a project documentation for the establishment of a V4 level mechanism for obstacle management. The proposal to set up the mechanism was developed by the staff of CESCO, with the involvement of four other partners in 2018.

The *third legal accessibility project* was materialised in 2018, focusing on three areas:

- the practice and attitude of the neighbouring EU countries towards cross-border movement of ambulance cars was examined and a 6-sided task force to help consultation was established;
- a legal draft to organise regional cross-border patient care, based on the practices of the French-Belgian and the German-Dutch border regions, was developed;
- the cases of shortages in the interpretation of the EU Regulation in the course of the daily operation of European Grouping for Territorial Cooperation (EGTCs) were revealed and a report was sent to the European Commission about it.

The *fourth legal accessibility project* aimed to ensure the enforcement of patient rights through the support of cross-border patient mobility; and to explore the legal background of cross-border developments in public procurement.

The *fifth legal accessibility project* was planned to be realised in 2020 with three main activities, namely: publishing a collection of studies called "*15 years of the EGTCs*", organising a professional event in Brussels called "European Grouping of Territorial Cooperation: innovation of European Law and territorial integration" and organising the 3<sup>rd</sup> seminar of Central European National Ambulance Services. Due to the coronavirus pandemic, however, the events could not be organised, so instead an analysis was drafted on the impacts of the pandemic on border regime along the publication of the collection of studies on the EGTCs.

The present report details the aims and results of the *sixth legal accessibility project*.

## **2 Sixth milestone of the *Legal Accessibility Initiative***

The 6th milestone of the *Legal accessibility initiative* (scheduled for 2021) follows the spirit of its previous achievements and includes three activities related to two topics:

1. a comprehensive analysis on the legal solution for the institutionalisation of urban agglomeration areas;

2. a forum and conference on legal accessibility among the Visegrad Countries;
3. a compilation of the final report – in Hungarian and English.

The analysis of the first topic is justified by the fact that in parallel with the EU integration process, the borders become more and more permeable and, as a result, the services provided by nearly 100 urban centres located on both sides of the Hungarian borders are used by more and more people coming from either country. This process has an impact not only on the service providers but also on the governance and funding schemes of the particular border area.

The second topic is not without precedent either. In 2019, with the involvement of the experts of the four countries, CESCO published a proposal on a legal accessibility mechanism to be set at Visegrad Four level. The negotiations on the initiative started at the beginning of 2020 at diplomatic level but have been interrupted by the coronavirus pandemic. In the second half of 2021 Hungary took the rotating presidency of the V4 cooperation and CESCO used this occasion to popularise the implementation of the mechanism.

## 2.1 Legal solutions for the institutionalisation of urban agglomeration areas

### 2.1.1 Objective of the subproject

The aim of the subproject is to take stock of the diverse contexts and governance models of cross-border agglomerations in France, presenting their modalities and legal frameworks and the contextual territorial dynamics in a way that it can provide CESCO with benchmarks to support the adoption of best practices in the longer term, in cooperation with the Hungarian authorities.

The exploration of operational legal solutions and models for the institutionalisation of urban agglomeration areas is important as it can offer a potential solution for developing the peripheral settlements by enlarging the organic urban functional zones to the surrounding cross-border areas. In order to bring the theoretical knowledge to a more practical level, the subproject does not stop at exploring the French model, but takes the next step by analysing its comparability with the Hungarian system through three studies.

### 2.1.2 Presentation of the subproject activities

#### *Analysis: Governance models of the French cross-border agglomerations*

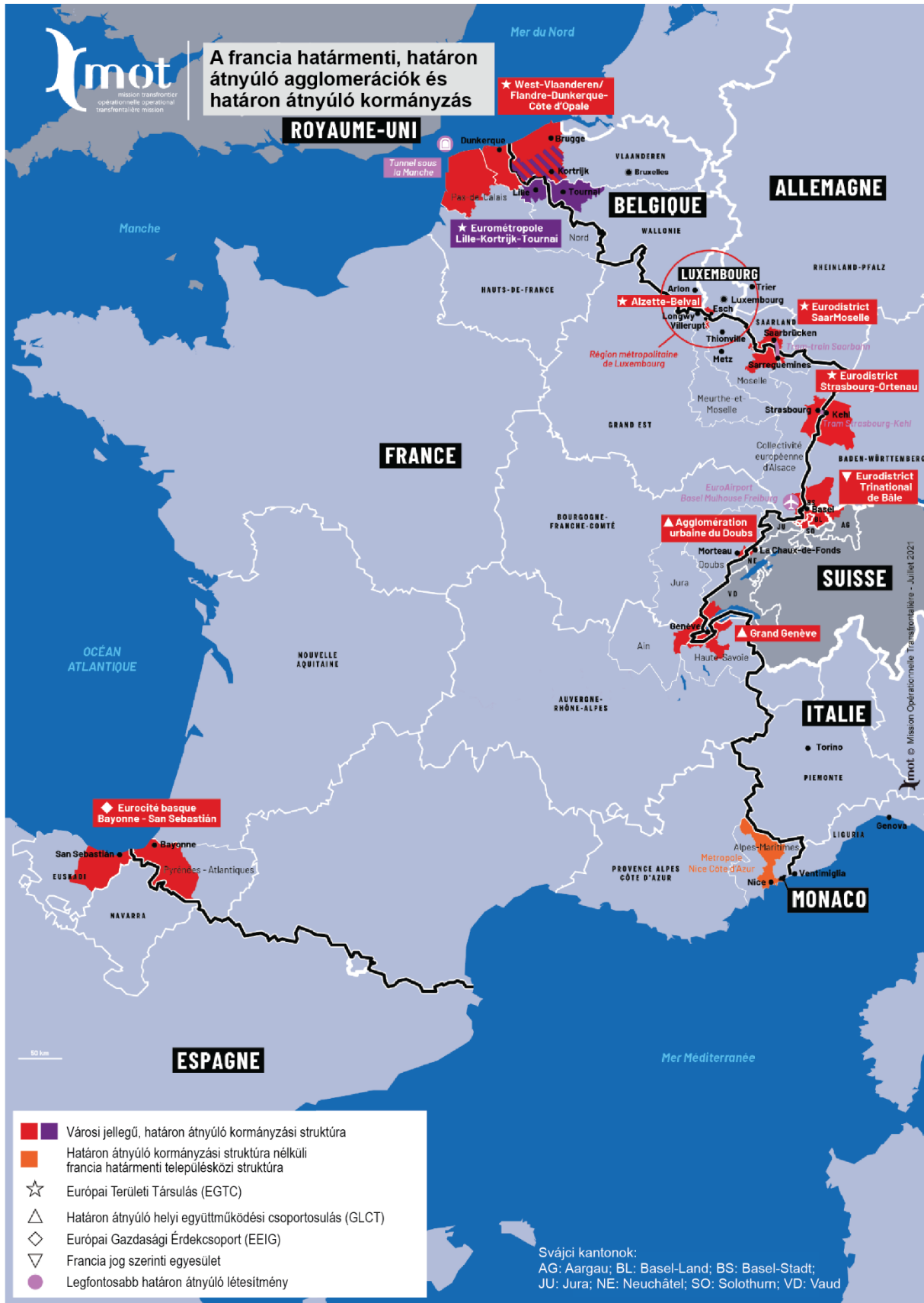
As part of the 6th milestone of the Legal accessibility initiative, experts of the French Mission Opérationnelle Transfrontalière have elaborated a study presenting the diverse governance models and legal solutions ruling the operation of cross-border conurbations in France emerged in diverse contexts.

Although the structures and legal environment of cross-border urban agglomerations in France differ from those in Hungary, the French experiences gained since the 1990s can be extremely useful for the development of the nearly 40 large, medium-sized and small towns in Hungary located at the border, which generates negative impacts on the development of these settlements and their influencing areas.

The study also provides a benchmark of different solutions that can help identify the most relevant models for governance of different cross-border agglomerations.



1. Figure: Cross-border structures in France



Source: MOT

### *Legal solution for the institutionalisation of urban agglomerations*

Based on the French experiences, a three-chaptered analysis was compiled by CESCO and a leading expert of agglomeration policy in Hungary, Ms Edit Somlyódyne Pfeil PhD.

The analysis includes the following studies:

- The history of Hungarian municipal associations and agglomeration organisations since system transformation (Roland Hesz and Zsombor Nagy)
- Evaluation of the solutions for cross-border agglomeration applied within the French framework based on the Hungarian regulatory environment (Edit Somlyódyne Pfeil PhD)
- Hungarian legal solutions for the institutionalisation of urban agglomerations (Norbert Jankai).

The aim of the above studies is to provide ammunition for the institutionalisation of French-style urban cooperation along the Hungarian borders adapted to the Hungarian reality. The vast majority of border towns, despite the EU's open internal borders, are in a peripheral position, as their organic influencing area and the administrative grid ensured by the national administrative system do not coincide. As they are not able to perform their spatial development functions in a 360 ° circle without hindrance, the operation of the local institutions cannot be ensured economically or they can be provided only within the administrative system of the given country, which is a foreseeable guarantee for gradual decline.

In France, these shortcomings are remedied by legal-institutional solutions which involve the smaller municipalities from the other side of the border into urban agglomeration institutions set up jointly and coordinate integrated cross-border developments through them. In the case of Hungary, the fact that nearly 40 current Hungarian are located in the immediate vicinity of one of the country's borders adds special importance to the issue. As these borders have been strictly guarded for the last 100 years and the surrounding infrastructure on both sides of the border has very often been eradicated, these cities have lost their natural influencing area, their population is oftentimes spectacularly declining, away from major transport routes and therefore avoided. These factors lead to the emigration of larger investors, which further accelerates the decline of the region.

Based on the lessons learned from the French model, taking into account the national characteristics and the Hungarian centralisation tendencies since 2013, the document provides comments and suggestions on the application of similar solutions in Hungary. The annex includes a draft bilateral agreement by which cross-border conurbations would be enabled to set up integrated governance structures.

### 2.1.3 Summary of the subproject results

The general principle of the French models is to integrate the local authorities of the neighbouring countries into an institution established by the legal system of one of the countries in question based on bilateral agreements. These cross-border agglomerations named as 'eurometropolis', 'eurodistrict' and cross-border local grouping (*Groupement local de coopération transfrontalière, GLCT*), which can be seen as a precedent for the European Grouping of Territorial Cooperation, cover the organic influencing area of several French border cities, generating functional centres.

In the benchmark of the relevant Hungarian and French municipal level legal solutions, similar elements were found (such as the leading integrating role of inter-municipal cooperation associations in the operation of both municipal systems), but also a large number of differences were identified summarised in the table below.

France <sup>11</sup>	Hungary <sup>12</sup>
In 1982 a process of decentralisation started which gave local authorities a wide degree of autonomy in order to cooperate intensively and effectively in functional areas.	From 2012 a stronger role of the state can be observed where both the tasks and competencies of local (and county) self-governments, and the number and value of their assets and institutions has been decreasing.
The right of association for French municipalities is guaranteed by the Fundamental Law, a right widely used by the French legislature to build inter-municipal cooperation.	The right to associate for Hungarian local governments is guaranteed by the Fundamental Law, but the ruling of the establishment of mandatory local government associations is used only to a limited extent.
French public interinstitutional cooperation institutions (municipalities, agglomerations and metropolises, abbreviated as EPCI) have sui generis rights.	Hungarian associations of local governments are not endowed with sui generis rights, but only those rights that are voluntarily conferred on them by the member municipalities. Hence the legal possibilities for cooperation are limited.

<sup>11</sup> Source of the French content: Mission Opérationnelle Transfrontalière and CESCO (2021). Rapport. Modèles de gouvernance des agglomérations transfrontalières françaises.

<sup>12</sup> The source of the Hungarian content elements: the study of Edit Pfeil Somlyódy PhD (2021). Evaluation of the solutions for cross-border agglomeration applied within the French framework based on the Hungarian regulatory environment. .

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France <sup>11</sup>	Hungary <sup>12</sup>
Financial transfers between municipalities and counties are allowed.	Financial transfer is not allowed between municipalities and counties.
EPCIs are entitled to levy local tax revenues and may benefit from local tax revenues of member municipalities. Revenues can be transferred to associations as a source of funding.	The revenues of the Hungarian associations can only be used to finance institutional benefits. The transferred funds can only be interpreted in relation to the local taxes levied by the representative body of the local and county level self-governments.
The French state encourages the creation of thematic municipal associations, such as planning associations. The establishment of associations and public services of local governments is allowed at the central level.	The current Hungarian law does not authorise agglomerations or urban areas to joint development and land use planning. Municipal associations do not represent a level of planning, their self-organisation in associations and provision of public services is NOT planned either at medium or central level.
The state aims at transforming municipal associations into a municipal level independent entity.	No state goal has been declared in this regard.
The French border agglomerations are based on functional cross-border areas and implement different governance models.	In the case of Hungarian border agglomerations, such functional models are not known.
The main types of governance in cross-border agglomerations are European Groupings of Territorial Cooperation (EGTCs). Agglomeration EGTCs operate as public institutions promoting inter-municipal cooperation.	Instead of cross-border agglomerations, almost exclusively local authorities participate in EGTCs. The members are not acknowledged by the relevant regulations of either Hungary or the surrounding countries as a public institution promoting inter-municipal cooperation.
The French cross-border agglomerations are built upon agglomeration associations operated on both sides of the border.	In the Hungarian context, neither a special urban status similar to the French model, nor inter-municipal cooperation based on the former one exist.

France <sup>11</sup>	Hungary <sup>12</sup>
The development of the region's economy, its ability to attract capital and raise tourism attractiveness stand out from its cooperation activities. The areas of cooperation of the French institutions are diverse and cover a wide range of public policy areas.	The Hungarian Local Government Act and the sectoral laws do not authorise local governments with such competencies through which the development of an urban agglomeration and the provision of public services together with neighbouring settlements can be implemented in an integrated manner.
Some of the French cross-border agglomeration models are so-called mixed union that also is in charge among others of the development of land use rules.	Pursuant to the Local Government Act, the approval of the spatial plan and the settlement development plan is a non-transferable competence of the municipal council.
As being the institutional framework for the economic development of border agglomerations, the so-called urban planning agencies carry out methodological development activities and support decision making.	The intermediate level stakeholders of regional development and planning are the county councils, which, as budgetary bodies, perform similar tasks within the framework of their own general assembly office.

The perceived differences between the French system of association of local governments characterised by a wide range of functions and competences on the one hand, and the Hungarian system with a spectacularly narrower scope in the light of the former one, obviously limit the possibilities of the adaptability of the French model. Therefore, the applicability of three legal solutions has been reviewed in the Hungarian context.

Based on the review of the legal framework, it can be stated that the instruments of international law and Community Law provide a suitable framework for Hungarian entities to participate in cross-border urban agglomeration institutions- after thorough elaboration of the implementing rules.

However, based on a review of the relevant Hungarian domestic regulations, it has to be acknowledged that the territorially and thematically fragmented functionality of the local government system, the contradictory local government regulatory processes undergone since the system transformation undermine the legal and confidential basis of local municipalities, therefore they cannot provide an adequate regulatory background for the participation of a Hungarian entity in a cross-border urban agglomeration.

Although the present study, according to the original commitment of the project, formulates a proposal on the Hungarian legal adaptation of the French model, it seems that another study, involving experts of the subject, is needed to identify specific legal obstacles.

#### 2.1.4 Fulfilment of the defined indicators

<b>Indicator</b>	<b>Planned</b>	<b>Achieved</b>
Analysis presenting the existing French municipal solutions (in French and Hungarian)	1	1
Legal examination of the adaptability of French solutions in Hungary	1	1
Formulation of proposals for the legal regulation of cross-border agglomerations	1	1
Proposal for bilateral agreements on cross-border agglomerations	1	1
The full scope of municipal investigations	100 pages	123 pages

## 2.2 Legal accessibility among the Visegrad Countries

### 2.2.1 Objective of the subproject

In 2018 and 2019, with the support of the International Visegrad Fund and with the involvement of four academic institutions, CESCI drafted a proposal on the expansion of the Legal Accessibility initiative to the territory of the Visegrad Countries by the creation of a permanent mechanism of obstacle management. Within the framework of the present project, CESCI intended to promote the development process of this mechanism through the organisation of a forum and a conference. The two events obtained timely relevance by the debate around the ECBM Regulation, and the closure of the B-Solutions project, both designed to take place in the second part of 2021, during the Slovenian presidency.

The forum (in a form of a round-table discussion) was designed to be organised with the participation of the three ambassadors and the representatives of the Hungarian Ministry of Justice and the Ministry of Foreign Affairs and Trade. The invited speakers of the conference were the representatives of the European Commission (ECBM Regulation), the Association of European Border Regions (B-Solutions) and the regional actors implementing B-Solutions case studies. The main mission of the conference was to provide ammunition for the development of the Visegrad Four level mechanism.

### 2.2.2 Presentation of the subproject activities

On 14 and 15 September 2021, CESCI, organised a forum and an international conference on legal accessibility between the Visegrad countries, as, although the topic has received increasing attention in recent years, there are still many obstacles within the EU and between the V4 countries regardless of advanced legal harmonisation.

While the scope of binding legislation for Member States is constantly expanding and is being progressively incorporated into the legal system of the Member States, experience shows that several legal and administrative obstacles resulting from differences in administrative systems and legislative background, still complicate the daily lives of border people and the success of cross-border cooperation.

In 2020, to prepare the event, CESCI informed HE Mr Tibor Bial, the Ambassador of the Czech Republic to Budapest on the proposal regarding the legal accessibility mechanism of the Visegrad Countries. He welcomed the idea and organised a meeting of the embassies of the three countries and the Hungarian Ministry of Foreign Affairs and Trade. Due to the pandemic, the meeting could not take place, it had to be postponed, however, within the framework of

the current milestone, CESCO managed to promote the process through the organisation of a forum and a conference.

The detailed agenda of the forum was the following:

**14 September 2021: Forum (round-table discussion) (from 3pm to 5.30pm)**

**Participants:**

- HE Tibor Bial, Ambassador of the Czech Republic
- HE Jerzy Snopek, Ambassador of Poland
- Mr Attila Szép, First Secretary of the Embassy of the Slovak Republic
- Mr Slawomir Tokarski, Director of DG REGIO (European Commission)
- Mr Péter Kiss-Parciu, deputy state secretary of the Ministry of Foreign Affairs and Trade of Hungary

**Moderator:** Mr Gyula Ocskay, Secretary General of CESCO

**Greetings:** Ms Melinda Benczi, strategic planner of CESCO

**Cocktail & reception at the terrace of the hotel (from 5.30pm)**

2. Figure: The participants of the Forum





The detailed agenda of the Conference was the following:

**15 September 2021: Conference (from 9.30am to 2.00pm)**

**9.30 Greetings**

- Ms Melinda Benczi, Strategic planner of CESCO
- Mr András Lázár, Head of office, national V4 coordinator
- Mr Petr Mareš, Director, International Visegrad Fund

**10.00 The European context**

**Moderator:** Mrs Melinda Benczi Strategic planner of CESCO

- Mr Pavel Branda, Vice-mayor of Rádlo, Member of the COTER, Committee of the Regions: What future for CBC in the EU? The Resolution of the Committee of the Regions and the issue of obstacle management
- Mr Jean Peyrony, General Director, Mission Opérationnelle Transfrontalière: Why obstacles matter – and how to tackle them? The background of the ECBM proposal
- Mr Martín Guillermo-Ramírez, Secretary General of the Association of European Border Regions: The nature of obstacles and the B-Solutions initiative

**11.00 Q & A**

**11.15 Coffee break**

**11.35 The local context: B-Solutions case studies of cross-border obstacles**

**Moderator:** Mrs Melinda Benczi Strategic planner of CESCO

- Mr Rafael Peszka, Initiator of the Lithuanian-Polish trans-border functional area: The significance of obstacle management in a cross-border functional area
- Mr Péter Nagy, Director, Ister-Granum EGTC: Misinterpretation of labour rules
- Mr Péter Halinka, CEO of the West Pannon Nonprofit Ltd.: Challenges of understanding – multilingualism along the Austrian-Slovak-Hungarian triborder
- Mr Hynek Böhm, Professor of the Technical University of Liberec: Cross-border health care; Trilateral bridge over the Neisse-Nisa-Nysa
- Mr Zoltán Herke, Development Manager, Arrabona EGTC: Cross-border settlement management system
- Mr Gyula Ocskay, Secretary General, CESCO: Legal accessibility among the Visegrad countries. A project and a proposal

**13.30 Q & A – debate**

**Reception (from 2.00pm)**

3. Figure: The participants of the Conference



After the forum and the conference two different reports were compiled. One was made for the general public giving a detailed account of the event<sup>13</sup>. The other was tailored towards the European Commission offering a comprehensive picture about the whole topic<sup>14</sup>. Both can be read in English and Hungarian on the project's website.

### 2.2.3 Summary of the subproject results

The subproject successfully brought together several ones of the key actors of cross-border cooperation on the level of the Visegrad Group. The discussions had many outcomes, some conclusions may be drawn from the event for the EU level policy making as well:

1. The B-Solutions initiative proved to be very useful and effective in the identification of persisting cross-border obstacles. What is more, several case studies led to a concrete solution. Consequently, the initiative is worth continuing after its completion.
2. The stakeholders greet the successful efforts of the Commission in terms of launching the ISO1 Interreg Specific Objective which promotes the systematic activities targeting obstacle management. It is recommended to regularly summarise the lessons learnt from these projects through an expert platform.

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<sup>13</sup> See: [https://budapest.cesci-net.eu/wp-content/uploads/2021/11/Beszamolo\\_JOGa6\\_konferencia\\_EN.pdf](https://budapest.cesci-net.eu/wp-content/uploads/2021/11/Beszamolo_JOGa6_konferencia_EN.pdf)

<sup>14</sup> See: [https://budapest.cesci-net.eu/wp-content/uploads/2021/11/CESCI\\_V4\\_conference\\_report\\_formatted.pdf](https://budapest.cesci-net.eu/wp-content/uploads/2021/11/CESCI_V4_conference_report_formatted.pdf)

3. Although, the Council eliminated the draft proposal on the ECBM, the obstacles and barriers which have remarkable impacts upon the national economies and societies (and even the health systems) still prevail. Consequently, the Member States must be interested in the elimination of these barriers, too. If not along the original concept and by the original name, a tool for obstacle elimination still remains necessary to apply.
4. Due to the COVID-19 pandemic the national approaches have been strengthening accompanied with re-bordering and re-nationalising tendencies. At the same time, the pandemic also demonstrated the interdependencies of the Member States. Besides, as a consequence of the closure of the borders, the cross-border workers came to the fore, and cross-border commuting has been thematised in the policy discourse of the EU. This fact should be considered as the positive externality of the pandemic and it is to be exploited to keep the topic of cross-border integration above the surface.

## 2.2.4 Fulfilment of the defined indicators

Indicators	Planned	Achieved
Legal accessibility conference organized	1	1
Number of participants in the Legal Accessibility Conference	60	Forum: 44, Conference: 38
Professional summary of the forum and conference (English)	1	1
Final study of the project in Hungarian	1	1
Final study of the project in English	1	1

### 3 Summary

During the recent years, with the involvement of external experts, CESCO has been carrying out a systematic work with a view to making the preliminary objectives of *Legal accessibility* initiative achievable. Out of the numerous cross-border obstacles that were identified as part of the project, several were paired with proposed solutions and considerable achievements. Thanks to the initiative, the integration of cross-border healthcare services is much better mapped out along the Hungarian borders and in the case of emergency services on the Hungarian-Austrian and Hungarian-Slovakian border sections tangible results are also materialising. The harmonisation of the EGTC legislation as well as the legal obstacles these groupings face were also dealt with in details, similarly to the topic of public procurement and cross-border sale of local products. The impact of the COVID-19 pandemic on the border regimes were also tackled by this initiative in the previous years.

The sixth milestone introduced two new topics to the picture. On the one hand, legal solutions were sought for the institutionalisation of urban agglomeration areas. Within this activity, the French models were analysed in depth and compared to the Hungarian system in search for adaptable elements. The results of the exercise are presented in detail in the separate studies and summarised in the present report.

On the other hand, following the proposal made in 2019 by CESCO and partners on legal accessibility mechanism to be set at Visegrad Four level, a forum and a conference were organised in order to bring the relevant political stakeholders together around the table to discuss the necessary steps for implementing the mechanism and also to raise awareness to the different legal and administrative obstacles still persisting among the Visegrad countries. The events also served as a prime possibility to showcase already working schemes that could be adapted for a larger context as well.

Despite the fact that the previous years saw some remarkable achievements in terms of counteracting the most serious obstacles within the EU in terms of free movement of people, goods, services and capital, there are some severe shocks – such as the global pandemic, Brexit or the migration crisis – that endangers these results. This is why initiatives similar to *Legal accessibility* are important to anchor the Member States in the direction that corresponds to the original core European values of solidarity, cooperation and joint development.