



- Visegrad Fund
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## LEGAL ACCESSIBILITY

among the V4 countries

Information and  
cooperation  
**handbook**

**Consultative  
model**

**Mobility  
Forum**

**Mobility  
Council**

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## I. Introduction of the project and the research (content and methods)

Since its establishment in 1991 and mainly during the last few years, V4 became a regional brand known worldwide. At the same time, regardless of the efforts made by the International Visegrad Fund V4 Fund, the cooperation hardly influences the population's daily life: it is not simpler to work, to live, to study, to do business, to get married, etc. in other V4 countries.

During recent years, several initiatives have been taken in Europe with a view to diminishing or even eliminating the legal-administrative barriers still existing among the European countries. The most advanced regional cooperation can be identified at the Benelux Union and the Nordic Council. At the same time, at Visegrad Group no similar initiatives exist, while internal mobility and cohesion should be strengthened.

The Nordic states set up the Freedom of Movement Council in 2014, which every year identifies several legal obstacles hampering internal cohesion and selects some of them to be eliminated by the member countries, systematically. This model does not only strengthen regional cohesion by easing the regional mobility of workers, students, entrepreneurs and goods, but in parallel, provides concrete content for regional identity and regional brand building.

Similarly, the Benelux Convention on Transfrontier and Interterritorial Cooperation was ratified in 2014 by the members of the Benelux Union, namely Belgium, the Netherlands and Luxembourg. The new Convention utilizes the advantages of the former treaty signed in 1986 and also the advantages of the EGTC Regulation No 1082/2006, thus providing a framework for more progressive and innovative cross-border cooperation. The fundamental aim of the Convention and the participating subjects is to strengthen and deepen structural cooperation on each side of the shared borders, hence supporting the desired solutions, pilot projects and transfer of the existing skills. The convention commission operates as a platform for application of the legal instruments enabling cross-border cooperation. The Benelux Union has 5 permanent institutions, the Committee of the Ministers (where the decisions on legal harmonisation are made), the Council, the Secretariat General (which is responsible for the functioning of the cooperation and facilitating obstacle management), the Interparliamentary Consultative Council and the Court of Justice. The Union has an on-line information portal<sup>1</sup> (in French and Dutch) registering all legal instruments and documents related to obstacle management.

Similarly to the Benelux and Nordic cooperation, the project partners aim at laying the basis for permanent intergovernmental mechanisms enabling V4 governments to detect and eliminate those legal-administrative barriers hampering or making difficult to work, to study, to do business, to get married, to purchase goods, etc. in either countries of the V4 cooperation.

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<sup>1</sup> [http://www.benelux.int/fr/volet-juridique?referentie=&tag=0&type=1&domein=0&from=&to=&search=&display=9&ccm\\_paging\\_p=1](http://www.benelux.int/fr/volet-juridique?referentie=&tag=0&type=1&domein=0&from=&to=&search=&display=9&ccm_paging_p=1)

For this purpose, as first step of the process, the partners elaborated a study aiming to give a comprehensive picture on the operation of the Freedom of Movement Council (FMC) of the Nordic Council of Ministers with regard to the adaptation of the model at V4 level. As the second step a proposal on the V4 Mobility Council was drafted which analysed the existing government structures of the V4 countries and provided the methodological and structural basis for the V4 intergovernmental structure which could be responsible for legal accessibility within the region.

In course of the last phase of the project, the partners have elaborated this present document which is intended to function as an information and cooperation handbook which describes the concrete steps and measures to be taken by the civil servants and decision-makers when setting-up and operating the future platform of cross-border mobility.

To this end, the content of the 'Proposal of the V4 Mobility Council, as the basis for this study was discussed with the representatives of the Visegrad 4 governments. Furthermore experts from the V4 countries were involved.

## II. Summary of the Proposal on the V4 Mobility Council

When drafting the proposal on a mechanism applicable for the Visegrad group, the partners analysed in details the public administration and legislative systems, the legislative processes and the competencies of the different level actors in each V4 country. Based on the research, a country benchmark was elaborated unfolding a quite high level of uniformity in terms of the political and governmental structure as well as the legislative processes. In practice it means that the legislative and executive powers are separated, the Parliaments are mandated by the competencies of law-making while also the Ministries have the right to draft legally binding provisions (e.g. decrees). Furthermore, in each country, the territorial administrative system includes regional and local municipalities which have different competencies: at regional level, the Polish and Slovak regions have larger while the Czech and Hungarian ones narrower competencies; at local level, the picture is much more homogeneous. In terms of cross-border cooperation, the municipalities have the rights to start cooperating but, of course, they have no rights to apply the laws of the neighbouring country on their own territories that sometimes makes the cooperation difficult and complicated. The country benchmark set the administrative and legislative frameworks and limits of the potential application of the joint mechanism.

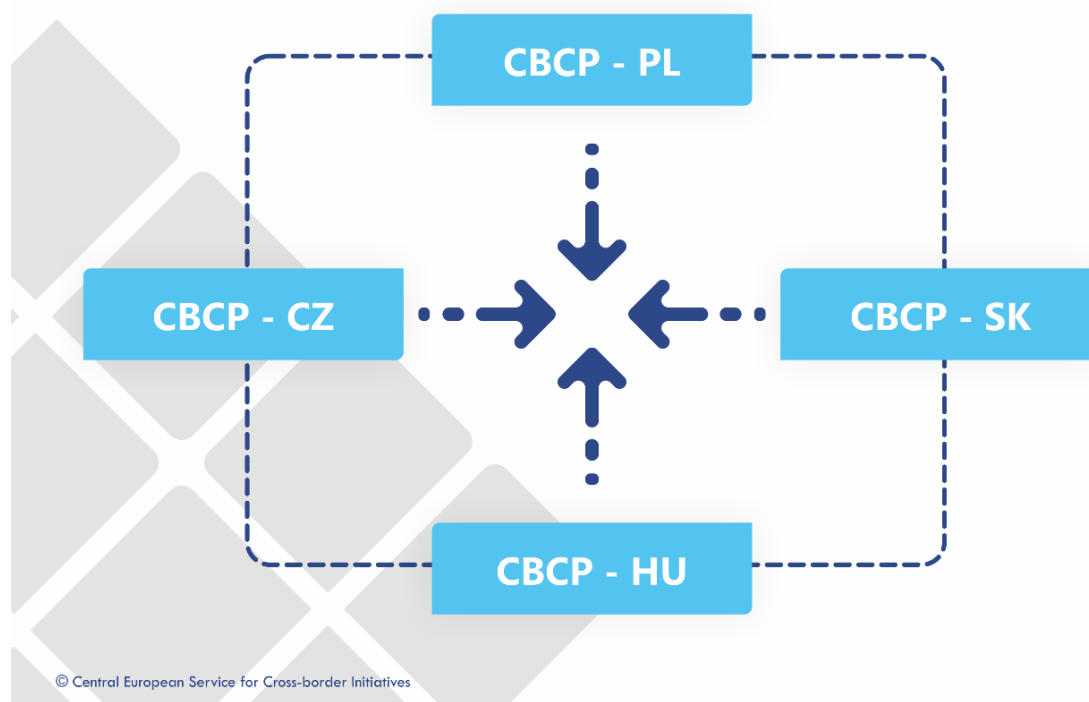
In order to get familiar with the macro-regional framework, the special features of the Visegrad cooperation was also analysed. By this manner, the already existing organs, institutions and procedures; as well as the level of integration of the Visegrad Group could be considered. Obviously, the integration of the four Central European countries is exemplary but is very far from the level of integration of both the Benelux Union and the Nordic Council. The potential joint mechanism has to respect this level of maturity.

As a result, the partners identified three options which differ from each other in terms of the level of institutionalisation.

## II.1 Summary of the consultative cooperation



The model of consultative cooperation



The first model targets consultative cooperation (*Figure above*) based on an international agreement addressing mutual cross-border legal accessibility, to be signed by the four governments. Taking into account that the draft ECBM regulation<sup>2</sup> foresees the setup of national level cross-border contact points (CBCPs), there is no need for establishing new organs. The CBCPs shall create the platform of regular transfer of experiences in the field of implementation of the regulation, and the obstacles to be identified according to the European mechanism should be eliminated at a bilateral level. Besides, the V4 countries still could develop an information and database of the obstacles and the management thereof for the sake of knowledge transfer.

Table 1: Advantages and disadvantages of model 1

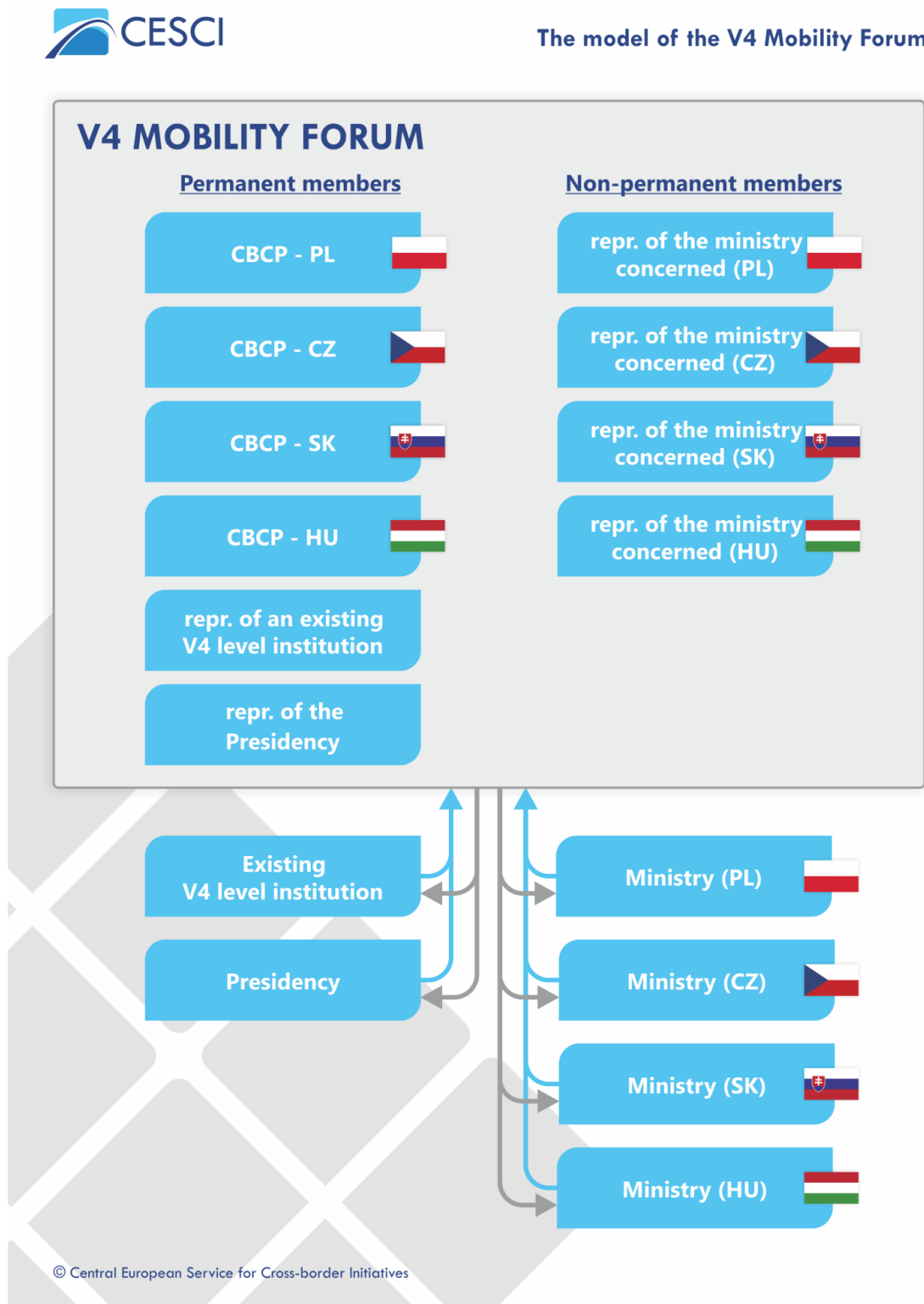
Advantages	Disadvantages
flexibility	low integrating impact
no need for establishing and financing new structures	low binding impact
easy management and coordination	

<sup>2</sup> Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a mechanism to resolve legal and administrative obstacles in a cross-border context COM/2018/373 final - 2018/0198 (COD) - <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A373%3AFIN>



## II.2 Summary of the V4 Mobility Forum

The second solution is more advanced: the planned V4 Mobility Forum<sup>3</sup> (Figure below) would be built upon the existing and operating structures and models of the Visegrad cooperation when creating a new organ but not new institutions.



<sup>3</sup> Since the name of "mobility group" can create connotations with automotive industry or public transportation, the "forum" name is rather recommended.

According to the model, the 4 national CBCPs shall work together on a multilateral and regular basis based on international law. Members of the Forum would be

- the 4 CBCPs,
- the representative of the actual V4 Presidency
- the representative of an existing V4 level institution
- the representatives of the ministries (as non-permanent members) whose portfolio is affected by the obstacles to be eliminated.

The Forum follows the operation of the Freedom of Movement Council of the Nordic states: it drafts an annual plan on obstacle management at its first meeting at the beginning of each calendar year. At the annual regular meetings (2 to 4 times a year), the Forum deals with the obstacles in a systematic way, classifying the obstacles by sectors and status and drafting reports at the end of each year on the achievements. Similarly to the Nordic model, the national governments would be in charge of amending the legislation in question.

The administration of the Forum could be carried-out by one of the existing V4 level institutions with developed capacities in order to be enabled to carry out the tasks related to the operation of the Mobility Forum. Its competences and duties shall include:

- the collection of examples of obstacles from the ground (local stakeholders, regional and cross-border institutions),
- the preparation, administration and documentation of the meetings of the Forum,
- regular communication with the members of the Forum,
- drafting the annual plan and the annual report based on the decisions made by the Forum,
- registering the obstacles (database) and the way of their elimination,
- collection of good practices of obstacle elimination with a view to feeding into the V4 level obstacle management.

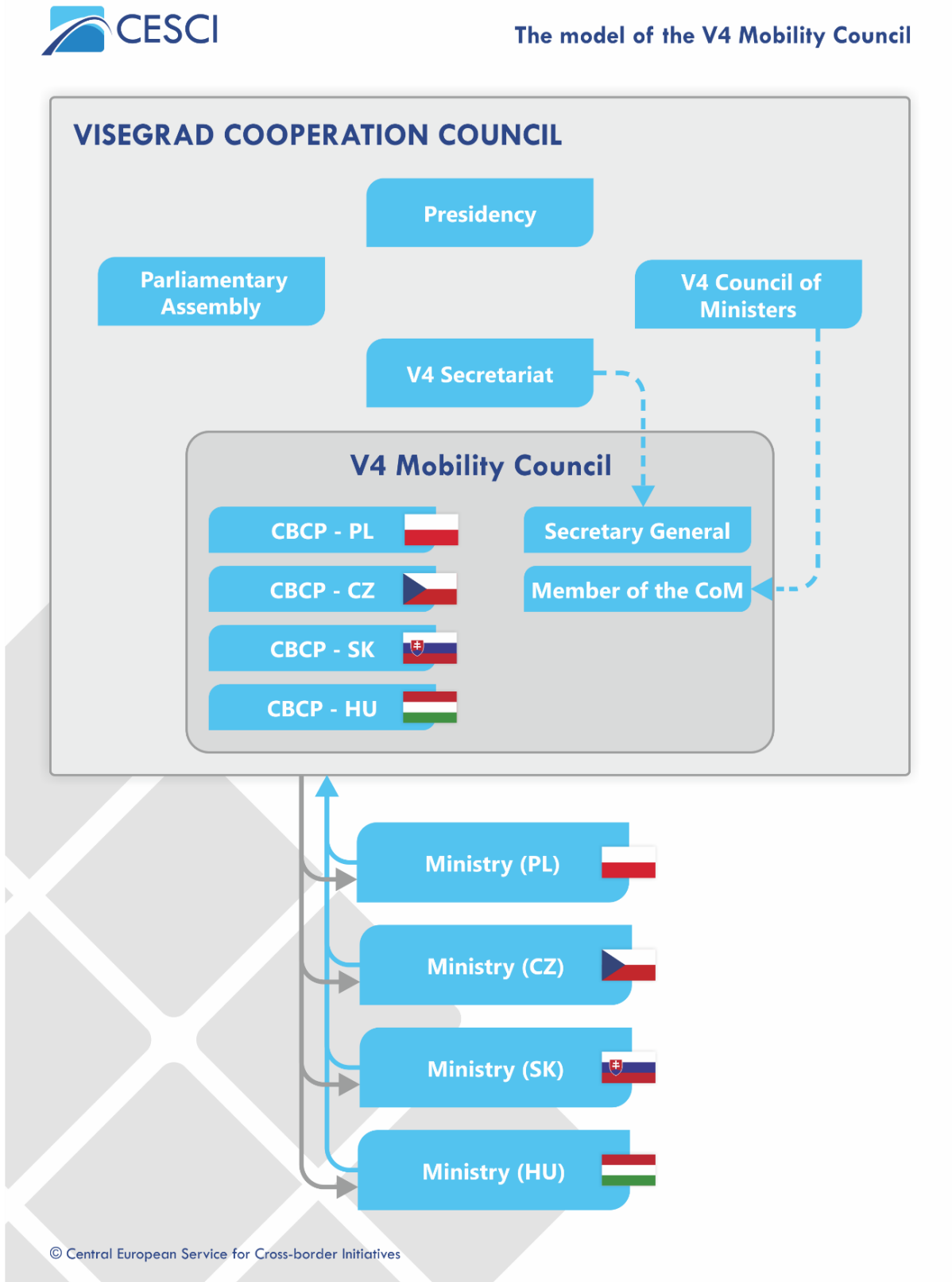
Successful operation of the Forum is impossible without an international agreement signed by the V4 countries which ensures that the governments are committed to eliminate the identified border obstacles and for this purpose they provide adequate human resources and procedures. Hence, the decisions made by the Forum can have an effect on the national legislations or administrative procedures of the countries concerned.

*Table 2: Advantages and disadvantages of model 2*

Advantages	Disadvantages
guarantee for systematic processes	lower level of stability
economic solution	need of more institutionalised form of cooperation (maturity challenge)
greater impact on the level of integration	

### II.3 Summary of the V4 Mobility Council

The most complicated structure would be developed within the third model where – following the example of the Nordic cooperation – further organs and bodies would also be set up and the Mobility Council would be built into this comprehensive system of institutions.



According to this solution, the Visegrad Cooperation Council shall be the official body for intergovernmental cooperation between the Visegrad countries. The legal framework of the cooperation should be based on an international agreement to be signed and ratified by the national parliaments.

The establishment of the Visegrad Cooperation Council is proposed to be formalized by a Statute providing the frames for cooperation in the legal, political, cultural, social and economic fields. The parties should hold joint consultations on matters of common interest which are dealt with by European and other international organisations.

The organs of the Visegrad Cooperation Council relevant in terms of the border obstacle management shall be:

- the Presidency
- the Parliamentary Assembly
- the Council of Ministers for Visegrad cooperation
- the Secretariat
- the Visegrad 4 Mobility Council.

## The Presidency

In harmony with the existing system, the Presidency of the Visegrad Cooperation Council rotates between the four countries and lasts for a period of one year. The Presidency is represented by the prime minister who has the formal responsibility for coordinating the intergovernmental Visegrad cooperation. The country holding the Presidency draws up an annual work programme in which the political priorities for cooperation during the year to come are presented.

The country which holds the Presidency also holds the chair for the V4 Prime ministers' meetings throughout the year.

## The Visegrad Parliamentary Assembly

The inter-parliamentary consultative body would be formed for the purpose of consultation among *national parliaments* of the V4 countries. The members and deputy members of the Parliamentary Assembly would be delegated by the national parliaments from among their own members, proportionally representing the parties having parliamentary groups. All member countries shall delegate 10-15 members regardless of the population size of the given country. This size would enable effective plenary work.

In the case of bicameral legislatures it is up to the given member country to decide whether it delegates from which chamber or from both.

The organ of the Parliamentary Assembly provides the possibility of political interaction between the members of the legislatures of the Member States, consulting suggestions made by the Presidency and the Mobility Council and making suggestions to the Presidency. The professional work of the Assembly would be carried out in standing committees dedicated to obstacle identification.

## The Council of Ministers for Visegrad cooperation

In the Council of Ministers for Visegrad Cooperation all countries shall be represented, since it shall play the role of the political leadership of the Visegrad Council and the highest decision-making body .

The Council of Ministers shall consist of the representative of the President country, a Vice-president and the representatives of the ministers of the 4 thematic fields already existing at V4 cooperation level: the ministers of foreign affairs, the ministers responsible for law-making, the ministers responsible for defence and security, and the ministers responsible for economy from all countries.

The Council of Ministers should play a leading role in intergovernmental cooperation and make policy decisions. Based on the annual work plans of the rotating presidencies, the ministers for cooperation should be responsible for elaborating an action plan as well as maintaining contacts with the national parliaments, adjacent areas and relevant international organisations. The action plan should be implemented by professional working groups.

## The Secretariat

According to this model, the administrative duties are undertaken by the Secretariat to be operating in Bratislava together with that of the International Visegrad Fund having own employees from all 4 countries and led by the Secretary General. Similarly to the Nordic model, the Secretariat should take part in the legal accessibility work by registering the obstacles coming from the ground in a well-defined and unified structure in order to prepare the professional group of the V4 Mobility Council. For being able to meet these needs employees must be commissioned by the above mentioned tasks.

## V4 Mobility Council

The V4 Mobility Council, similarly to existing groups and working groups of the Visegrad cooperation, shall be the platform of cross-border obstacle management on professional level. The group's aim would be to eliminate the border obstacles with legal and administrative nature, to prevent new border obstacles to occur and to promote the permeability of borders within the region.

The members would be the CBCPs, the Secretary General and a representative of the Council of Ministers. It is very important to note that the national members of the groups should be such senior civil servants who have the appropriate network and experiences for efficiently influencing the national policy-making and legislative processes. In addition, adequate instruments for their work must be provided by the concerned government and ministry.

The lead of the council shall rotate among the concerned national representatives of the governments annually, in line with the Presidency of the Nordic Council of Ministers.

The group shall cooperate with those actors both on local and national level who can contribute to the elimination of border obstacles:

- the thematic groups and working groups of the Visegrad cooperation;
- ministries and national public administration bodies: civil servants from the concerned and thematically relevant ministries of the four countries;
- the national organs responsible for monitoring the legislation process in order to provide the harmony with international, EU and national law;
- local, regional cross-border structures: border obstacles are to be identified and reported by the local and regional partners (EGTCs and euroregions, regional and local municipalities located along the V4 borders and other professional bodies or the citizens). At the same time the possibility of reporting cross-border obstacles must be given to ordinary border people.

## Procedures

According to this last model, the obstacles are identified and reported by local actors to the Secretariat. The Secretariat collects, stores and analyses the obstacles and coordinates the work of the Mobility Council. The Council operates in the same way as it is described in the previous model with the difference that the Council itself can set up thematic working groups so its competences are broader than in the second model.

The Mobility Council permanently communicates with the Parliamentary Assembly and the Council of Ministers in order to facilitate the national level elimination of the obstacles. The Assembly and the Council of Ministers are the forums of consultation on obstacle management processes while the national ministries are responsible for the gradual elimination of the identified obstacles. The procedure is supported by an on-line database of barriers and is followed and monitored by the Mobility Council based on annual reports. The reports are drafted by the Secretariat which have to refer the annual plan adopted by the Mobility Council.

*Table 3: Advantages and disadvantages of model 3*

Advantages	Disadvantages
multi-layered mechanisms for cooperation	small flexibility
high level of integration	high operational costs
long-term stability	lack of maturity at V4 level for such a solution

## II.4 Comparison of the three models

The three models have been compared through a 9-factor benchmark taking the following criteria into account:

### 1) Questions of principle

- **integrating force:** how the model facilitates the strengthening of the integration of the V4 countries;
- **maturity:** the difference between the model and the current level of integration – the index refers the maturity of the V4 cooperation compared to the adaptation of the concerned model;
- **legitimacy:** the relationship of the model and the political support of the V4 cooperation – taking into account the political commitment of the V4 countries to the regional cooperation, the index reflects the potential acceptance (popularity) of the given model by the four governments;
- **capacity:** capability of the model to ease cross-border mobility: the index reflects the potential impacts of the model on obstacle elimination;
- **forcing power:** the power of the model to launch and conclude legal procedures in each country: the index describes the political power represented by the solution.

### 2) Set-up of burdens

- **time scale:** the time span necessary for the establishment of the structure (taking into account also the procedures set-out by the ECBM regulation) – the values of the index should indicate the time scale of the establishment of the three models so that it prioritizes shorter period of time;
- **simplicity:** in which level makes the model necessary the creation of brand new structures / in which level builds the model upon existing structures; the higher values are given to simpler models.

### 3) Operational factors

- **operability:** at which level the model is operable – the factor refers the burdens related to the smooth operation of the model; the index awards easier solution with higher scores;
- **financial ease:** how expensive is the operation of the model; the cheaper is the solution, the higher is the value.

For the purpose of the benchmark we applied a four-score Likert scale where 1 means the weakest and 4 means the strongest value. The results represent the average value of the score given to the three models respectively along by the above criteria.

Table 4: Benchmark of the three models

	Consultative model	Mobility Forum	Mobility Council
<i>Questions of principle</i>			
integrating force	1	3	4
maturity test	4	3	1
legitimacy	3	3	1
capacity	1	3	4
forcing power	1	3	4
<i>Set-up burdens</i>			
time factor	4	3	1
simplicity	4	3	1
<i>Operational factors</i>			
operability	4	2	1
financial ease	4	2	1
<b>AVERAGE</b>	<b>2,89</b>	<b>2,78</b>	<b>2</b>

According to the results, the first model would be the best choice followed by the second and finally the third.

The three models can also be considered as an evolution process in the way of enhancing integration: while the consultative model can be launched anytime, the building up of the comprehensive institutional system requires time and financial resources, as well as, much stronger commitment on behalf of the four governments to integration. The Mobility Forum represents an intermediate solution requiring further efforts but not creating new models for cooperation. Therefore, the V4 countries can make the decision to start with the consultative model, continuing on with the Forum, finally developing the comprehensive institutional system.

Regarding the funding opportunities, ad-hoc EU and V4 project funds can be used for the preparation and the establishment of the institutional and technical background of the legal accessibility initiative, however the operation and maintenance of these bodies and structures are the responsibility of the Visegrad Group together through joint fund(s) and the member countries through domestic funding.

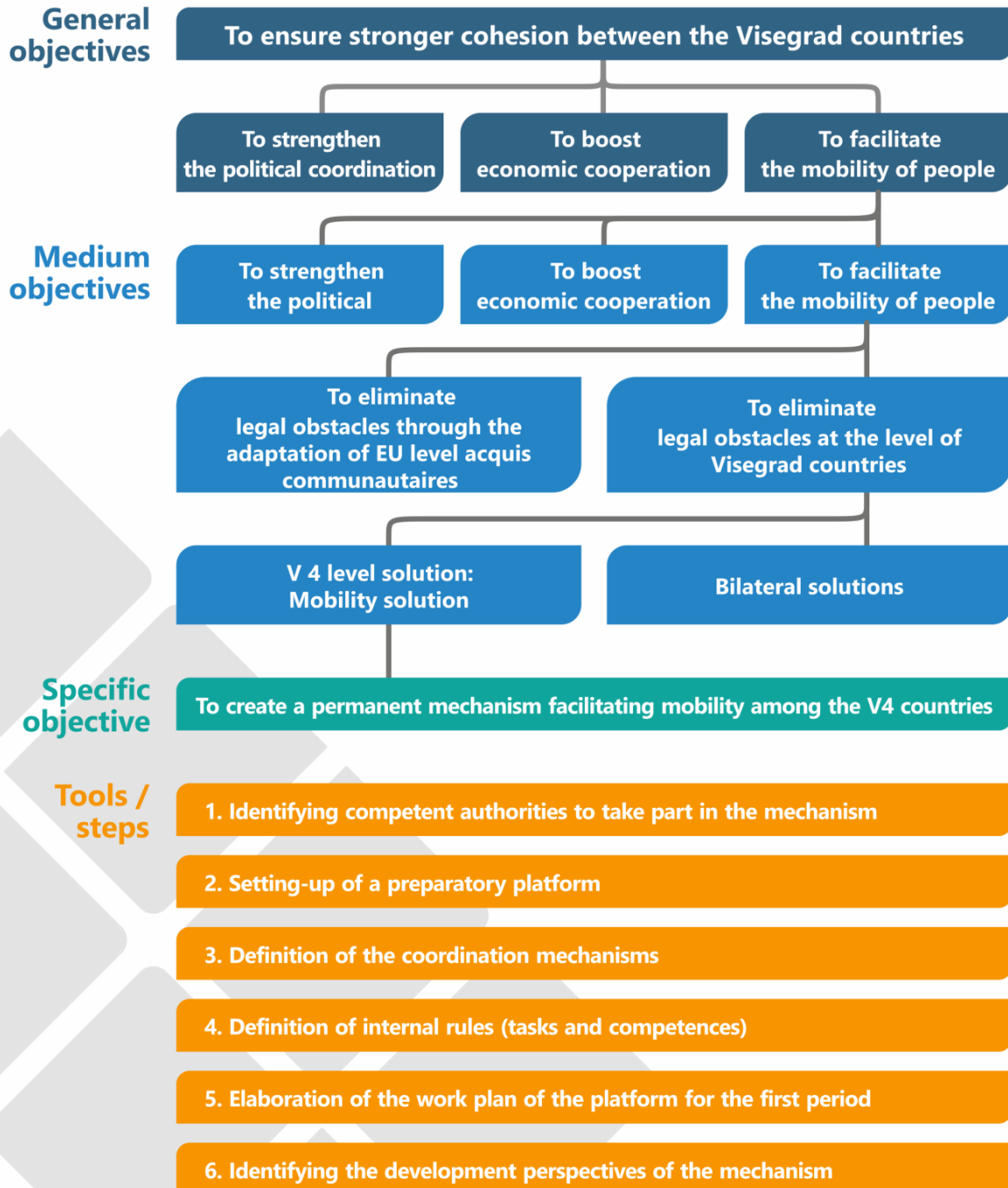


# III. Action plan

## III.1 Intervention logic of the Legal Accessibility initiative



Intervention logic  
of the development of a V4 level legal accessibility solution



The long-term success of the Visegrad cooperation depends on the level of integration and the strength of cohesion between the four countries. It presupposes strengthened political coordination, boosted economic cooperation and lightened conditions against the citizens' mobility. The present project focuses on the third factor since it intends to facilitate cross-border mobility of the V4 citizens.

This mobility is hindered at the moment by physical, legal and mental obstacles. Concerning the last sort of obstacles, International Visegrad Fund has a crucial role when supporting cultural cooperation and people-to-people activities. Therefore, the Fund is considered as an important tool of enhancing mobility of people. The four governments plan to take serious initiatives regarding the physical permeability of the region (large transport infrastructural projects). At the same time, these infrastructural investments will not meet the expectations without eliminating the persisting legal and administrative barriers. These barriers will occur even in the construction phase – taking into account the diverse planning standards and conditions for permissions, e.g. in the case of the high-speed railway links. But the problems will proliferate once the infrastructural projects are completed and much more intensive mobility commences between the four countries. Consequently, besides physical and mental, also legal obstacles should be removed.

For this purpose, the Visegrad countries can follow two distinct ways:

- a) to facilitate the mobility through the adaptation of the *acquis communautaires* defining the cooperation of the EU Member States or;
- b) to improve V4 level legal harmonisation completing the legislative process at the EU level.

The two other existing territorial political alliances of the EU (namely, the Benelux Union and the Nordic Council) have chosen the second way which proved to be the major factor of their stronger internal cohesion and integration. Even more, in many cases these alliances managed to develop stronger cohesion among each other than with further EU Member States and the solutions developed by them became models during the progress of the EU integration. It means that the exemplary cooperation of the countries involved in the Benelux Union and the Nordic Council resulted in new forms and new tools of integration which are more developed than those triggered by the EU.

The main aim of the current project is to enhance the internal cohesion of the V4 countries through the gradual elimination of legal obstacles – outside but not independently of the EU legislative framework. (From this perspective, the draft ECBM Regulation should be considered as an encouraging tool.) The elimination process can be supported both by bilateral and multilateral agreements and tools. The proposed mechanism is planned to enable the four countries to lighten the difficulties of internal mobility by acting jointly.

## III.2 Frames of implementation

The establishment of the mechanism for managing legal obstacles among the V4 countries is affected by several factors on all EU, Visegrad and national levels.

### EU level

At European level, since 2014, the challenge of the persisting legal and administrative obstacles hindering cross-border activities have been more and more on the table. As a result, after a comprehensive analysing period (see the 'Cross-Border Review' project<sup>4</sup>), the European Commission issued a Communication titled 'Boosting Growth and Cohesion in EU Border Regions'<sup>5</sup> that underlines the significance of overcoming cross-border obstacles. In parallel, the Luxembourg Presidency (of the Council), with the technical assistance of the French Mission Opérationnelle Transfrontalière (MOT), proposed to launch a new legal instrument, the so-called 'European Cross-Border Convention (ECBC)'. With a mission to co-work an EU level proposal, the Presidency has set up a working group including the representatives of national authorities, the Committee of the Regions, the MOT, the Association of European Border Regions (AEBR) and CESCI. The proposal was delivered in 2017 to the European Commission and it gained a very positive reaction at the EU institutions so that the Commission drafted a proposal on a Cohesion Policy Regulation on the issue.

The draft regulations of the new Cohesion Policy<sup>6</sup> containing the new tool facilitating cross-border integration and legal harmonisation were published on 29 May 2018 and they give special actuality on the V4 legal accessibility initiative. The so-called draft ECBM Regulation<sup>7</sup> offers two different solutions for local actors to tackle legal and administrative obstacles in border regions:

1. the European Cross-Border Commitment (ECBC) when the national legislations are not modified but the rules of the neighbouring state(s) are allowed to be applied for the sake of the cross-border development / project (self-executing derogation of the national rules);
2. the European Cross-Border Statement (ECBS) by which the national authorities undertake the future amendment of the existing national legislations in order to facilitate the implementation of a derogation.

The mechanism prescribes a quite complicated and multi-layered procedure by the end of which, the application of the rules of the neighbouring country may start.

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<sup>4</sup> [http://ec.europa.eu/regional\\_policy/en/policy/cooperation/european-territorial/cross-border/review/](http://ec.europa.eu/regional_policy/en/policy/cooperation/european-territorial/cross-border/review/)

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

<sup>6</sup> [https://ec.europa.eu/commission/publications/regional-development-and-cohesion\\_en](https://ec.europa.eu/commission/publications/regional-development-and-cohesion_en)

<sup>7</sup> Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a mechanism to resolve legal and administrative obstacles in a cross-border context. COM/2018/373 final - 2018/0198 (COD) - <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A373%3AFIN>

With a view to enabling the national authorities to issue ECBC or ECBS, the Member States opting for the ECBM solution are invited to identify a so-called Cross-border Coordination Point (CBCP) (or several Cross-border Coordination Points) as the key coordinating actor(s) of the whole process. The communication between the national level CBCPs makes possible to conclude a joint mechanism.

The Member States, including the V4 countries, will be obliged to implement the regulation after its approval, however they can decide on launching the ECBM model or adapting own solution. From the point of view of the current study, the V4 countries can follow three different paths:

1. they can apply separately the ECBM model,
2. they can develop own solution by each,
3. they can develop a V4 level mechanism of obstacle management.

Regardless of the outcome of this decision, the set-up of cross-border coordination points (CBCPs) seems to be inevitable for each Member State according to the draft.

This study aims to assist the V4 governments' decision makers and civil servants to prepare themselves for the application of the last option which is regarded as the most effective and advantageous one for each V4 countries – independently from the ECBM tool.

## Visegrad level

The Visegrad Group nowadays is considered as an exemplary and emblematic Central European regional political, economic and cultural cooperation platform, however its integration cannot be compared with the Benelux Union or the Nordic Council. The cooperation has been rather reactive and driven by events of international significance such as economic and migration crisis. The V4 agenda is set each year by a country that chairs the rotating one-year presidency, which is strongly affected by the different attitude of the four countries regarding the V4 cooperation. In practice, apart from security and defence policy, cohesion policy, transport and culture there are no permanent fields of V4 cooperation.

*Table 5: The present structure of the Visegrad intergovernmental cooperation*

Meetings	Main topics
Prime Ministers' meetings with a coordinating chairmanship on a rotating basis	state of cooperation, strategic questions of Central Europe, discussion of the EU agendas
Meetings of State Secretaries of Foreign Affairs	preparation of prime ministers' meetings, working out draft recommendations for the tactic and strategy to be pursued in the cooperation
Ambassadors' meetings	discussion on the state of Visegrad cooperation
Meetings of Visegrad Coordinators	reviewing and coordinating the cooperation, preparation of the state secretaries' and prime ministers' meetings
Meetings of other government members	particular questions in charge of corresponding ministries

Regarding the mechanism of cooperation, Visegrad Group is the forum of consultations with low level of institutionalization. The cooperation on political and public policy level is based on meetings at various levels: meetings of Prime Ministers, State Secretaries responsible for Foreign Affairs, Ambassadors, National Visegrad Coordinators and national government members.

What concerns the legislative relations, the cooperation has been intensified during the Hungarian Presidency in 2017 which shaped in (informal) meetings of the different committees and delegations (such as those responsible for foreign affairs, defence, family policy) of the V4 parliaments. The meetings resulted in documents which state that the representatives pay further attention to the concerned topics. However together with the end of the Hungarian Presidency, it seems that the parliamentary cooperation also came to an end, at least temporarily.<sup>8</sup>

On professional level, the most effective and most common forms of cooperation take place through specific working groups. These groups focused on a specific area such as defence, energy, transport, SMEs, etc., consist of various experts. Such groups can be formed in an ad-hoc manner and the continuity and level of cooperation depends on the negotiated issues.

Regarding the civil and people-to-people dimension of the Visegradisation, it can be stated that the level of citizens self-identification with the Visegrad cooperation is on a low level. In order to promote and popularise the Visegrad identity in this civil dimension, the International Visegrad Fund as one of the existing institutions of the Group makes significant efforts by providing grants, mobility/scholarship programmes, university grants, and various types of artistic residency programmes in the field of culture, scientific research, education, tourism, etc.

The Fund has its own Secretariat, which is responsible for the administrative tasks related to the operation of the fund, thus, it can be regarded as a sort of working organisation. It manages its own resources provided by V4 member countries equally and other donor countries (such as Canada, Sweden, Switzerland) according to the budget approved by the Conference of Ministers of Foreign Affairs of the member countries. The budget consists of two parts: project funding activities and the operational costs of the Fund's Secretariat and further V4 initiatives such as the Visegrad Cycling Race and the International Visegrad Prize.

## National level

The V4 countries expose varied level of enthusiasm regarding the ECBM initiative. In principle, the four governments support the idea of easing cross-border mobility among the V4 states. However, regarding the proper solution, the opinions are diverse, and different level of reluctance appears state by state.

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<sup>8</sup> [https://v4.parlament.hu/en/v4-hazelnoki-talalkozok?p\\_p\\_id=3&p\\_p\\_lifecycle=0&p\\_p\\_state=maximized&p\\_p\\_mode=view&\\_3\\_struts\\_action=%2Fsearch%2Fsearch&\\_3\\_redirect=%2Fen%2F-%2Fa-visegradi-negyek-hazelnokiek-hivatalos-talalkozoja-valamint-a-v4-hazelnokok-es-parlament-bizottsagok-konferenciaja&\\_3\\_keywords=visegrad&\\_3\\_groupId=1318872](https://v4.parlament.hu/en/v4-hazelnoki-talalkozok?p_p_id=3&p_p_lifecycle=0&p_p_state=maximized&p_p_mode=view&_3_struts_action=%2Fsearch%2Fsearch&_3_redirect=%2Fen%2F-%2Fa-visegradi-negyek-hazelnokiek-hivatalos-talalkozoja-valamint-a-v4-hazelnokok-es-parlament-bizottsagok-konferenciaja&_3_keywords=visegrad&_3_groupId=1318872)

The **Czech government** has taken the neutral position towards the new mechanism. In general, ECBM is considered as fit-for-purpose in more integrated western countries. Therefore, the Czechs rather prefer interstate agreements seen to be sufficient tool for solving most of the existing obstacles. However, the text of the Government's position mentions three particular areas in which the possible application of the Regulation might be useful: environmental protection, health care and crisis management.

In addition, at the level of the Czech-Polish interstate agreements further space can certainly be found to adopt measures similar to those functioning in the Nordic countries, as there are 10 Czech-Polish sub-committees working on the intergovernmental level under the auspices of the bilateral working committee coordinated by the foreign ministries of the two countries. The proposal on a V4 level mechanism can constitute meaningful cooperation content for them, which is at the present moment somewhat missing. In light of this, the Czech V4 Presidency (by accepting the proposal of Hungary) put the topic on its agenda in the form of a conference on post-2020 territorial dimension and integrated territorial development tools (e.g. ECBM) to be held in Prague, February 2020.

**In Hungary**, the government basically supports the implementation of the draft regulation, however in its opinion further steps should be taken in order to simplify and clarify the concerned procedures and better inform and involve the local stakeholders. In addition, cross-border legal accessibility was one of the key topics of the Hungarian V4 Presidency which also expresses its commitment to the topic.

**In Poland**, referring to the Polish official governmental stand towards the draft regulation from 29<sup>th</sup> June 2018, such solutions would require a deep legal analysis in terms of compliance with national legislation, including the Constitution. The Polish party is concerned about the application of the Cross-Border Commitment which may cause legal uncertainties. Regarding the creation of a V4 level, regional mechanism, the Polish Government is open to further deliberations on the approach to border obstacles both at political and expert level. The Polish find it reasonable to use the experience of countries which have prepared, implemented and tested a well-functioning model, and highlight that the current consultations on the draft ECBM regulation shall be taken into account. In this term, one of the important issues which is still under discussion is the voluntary character of the tool, understood as Member States not being obliged to propose alternative solutions to the EC for particular borders. They also stressed that creation of coordination points included in the draft regulation was considered as a very good idea in Poland but would require further discussions at expert level.

**Slovakia** shares the Polish concerns regarding the Cross-Border Commitment which can be in conflict with the Constitution. In addition, the Slovak Republic is rather opposing the application of the ECBS (the statement), when questioning the current definition of "joint projects", which may imply that it refers to any forms of projects implemented at NUTS 3 level.

The Slovak Republic will pursue the full voluntary use of this mechanism by individual member states. Furthermore, existing legal and organisational solutions can be satisfactory applied for the resolution of legal obstacles.

To sum up, the idea of easing cross-border mobility is unanimously welcomed by the V4 countries. At the same time, considering the way of obstacle management, the four governments have different approaches and viewpoints. At the time of drafting the current study, it is impossible to foresee the destiny of the draft regulation but it seems to be evident that the application of the tool will not be without complications.

Consequently, an alternative solution better adapted for the V4 countries can be a more favourable option for the four governments. The reluctance regarding the ECBM instrument experienced in the case of three countries can so justify the implementation of a specific tool for Visegrad Fours better aligned with the regional context.

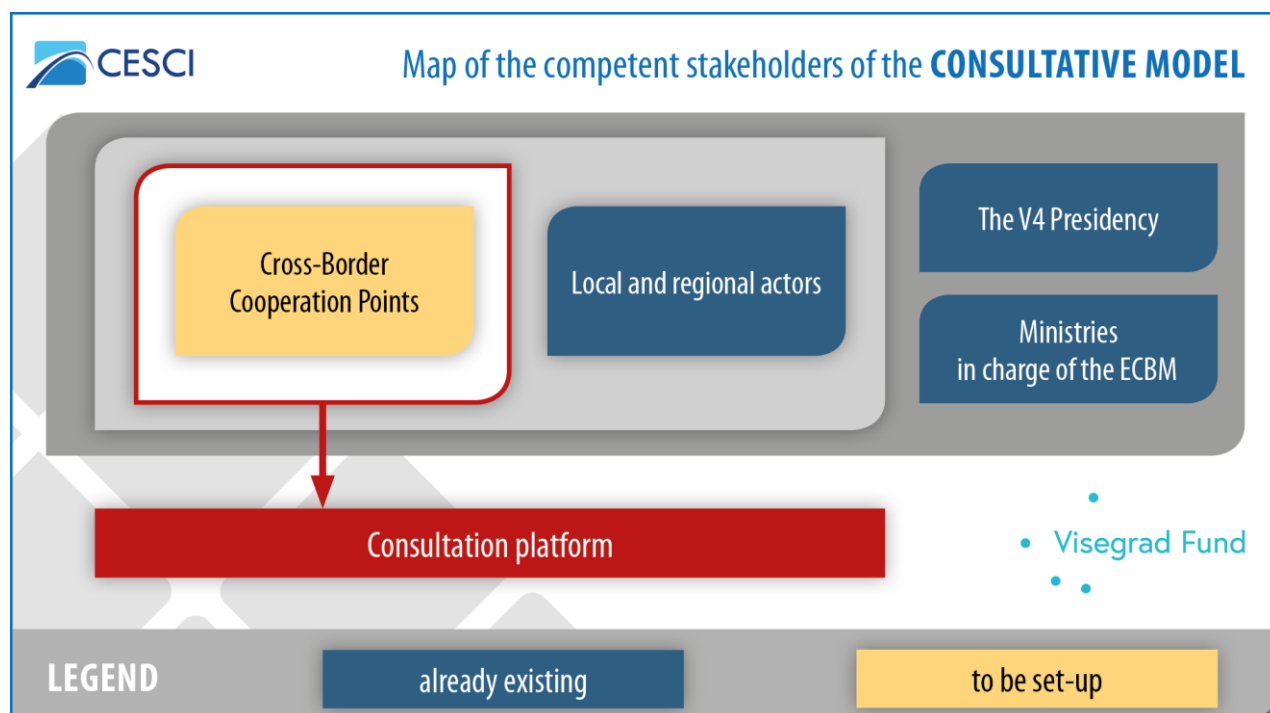
*Table 6: Risk and opportunity assessment concerning the implementation framework*

<b>Factor</b>	<b>Description</b>	<b>Probability (1-5)</b>	<b>Impact (1-5)</b>
Reluctance of the V4 governments regarding strengthened integration	The success of the new mechanism fundamentally depends on the attitude of the decision-makers, the political level. At the moment, the V4 governments are not keen on stronger integration without which the mechanism cannot fill its mission.	4	5
Lack of means for functioning	The three models necessitate different financial and human resources. However, certain resources are still needed for each of them (even in the case of the first model, for the annual meetings). Some institutions have to cover these costs. At the moment it is not clear, which institutions could those be.	5	5
Changing climate of cooperation	Due to the migration crisis, the overall climate of cross-border cooperation has dramatically changed in an unfavourable direction. Still, the same crisis has created favourable conditions for an enhanced cooperation at V4 level. This opportunity should be exploited not only for defending the external borders but also for decreasing the separating effects of internal borders.	5	3

## IV. The consultative model

The first model targets **consultative cooperation** addressing mutual cross-border legal accessibility according to the ECBM Regulation. The following steps are to be taken in order to launch and operate the model.

### IV.1 Identify the competent authorities



When defining the model, it is presupposed that **the ECBM regulation on EU level will require the identification of national level cross-border contact points (CBCPs)**, since there is no need for establishing new organs.

### IV.2 Set up a preparatory platform

Cooperation shall be initiated by actors which have the adequate competency to mobilize the stakeholders and financial resources which are necessary for the build up and operate the mechanism. For this purpose, there is a need for intervention at **political level**.

The competent high-level authorities owing these competencies are:

1. national coordinators of V4 cooperation
2. ministerial departments in charge of the implementation of the ECBM Regulation.

Competent stakeholders on expert level in charge of setting-up the consultation mechanism:

1. Experts in charge of the implementation of the ECBM Regulation / the CBCPs.

The experts should define the coordination mechanisms, the internal rules, the financial model and to draft the first work plan identifying the tasks for the first year.

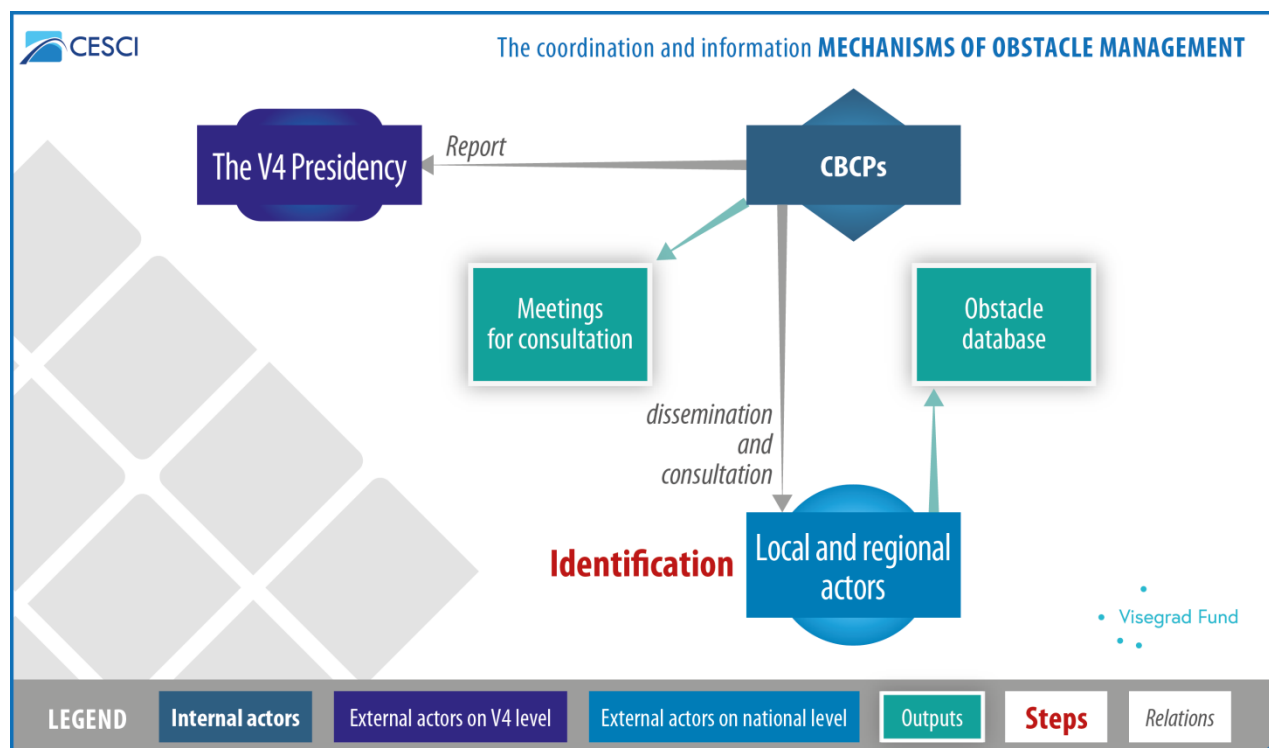


### IV.3 Define the coordination mechanisms

The model aims to initiate regular **transfer of experiences concerning obstacle management** according to the EU level regulation, where the **elimination process** is defined and **operated on bilateral level**. Therefore in this case, there is no intention to establish a joint institution at V4 level.

When planning and defining the coordination mechanisms, the following issues shall be addressed jointly by the members:

- **Identification of obstacles:** the member countries may set-up a joint database for gathering and registering obstacles from the ground. A joint nomenclature providing frames is worth being developed.
- **Regular consultation:** the CBCP members should meet on a regular basis. The meetings shall be organized by the CBCPs in one of the V4 countries according to a rotating system. The preparation and the documentation of the meetings require standardised procedures.
- **Report on the results of the bilateral obstacle management:** the results of the cooperation shall be shared with the existing V4 structures and bodies, as well as the wider public in order to strengthen the V4 identity. As a preparatory work, the parties should identify the target groups and the means of the communication activities.
- **Development perspectives of the mechanism:** the model represents the lowest level of integration which foresees future potentials of further development. Based on the first experiences the experts may set future prospects for cooperation.



## Important to note

The coordination and communication mechanisms of the obstacle elimination process shall be established on a bilateral level by

- applying the solutions defined by the ECBM Regulation
- setting-up different, bilaterally agreed solutions which might be similar to the V4 Mobility Forum (or Council) but existing models also can be used for this purpose

## IV.4 Define the internal rules (tasks and competencies)

The list of topics and questions to be addressed when drafting the internal rules:

- description of the principles and rules of the rotating system including the tasks and competencies of the parties
- description of the fields of actions to be discussed during each meeting
- description of the reporting and dissemination procedures
- definition of the set-up, the technical description and the operational rules of the obstacle database.



## IV.5 Elaborate a work plan for the first period

The work plan aims at designing the activities to carry out during the first period of operation. This way, the initial impetus can be protected. The work plan should include

- the administrative tasks concerning the set-up of the model,
- the professional tasks to be done in the pilot period: when and where the meetings will take place and be organized by whom,
- the tasks and ways of knowledge transfer with a special emphasis on the database development.

## IV.6 Financial background

Table 7: Factors influencing the setting-up of the structure

Factors	Level of financing needs	
	Visegrad <sup>9</sup>	National <sup>10</sup>
Meetings of the political and governmental actors resulting in the signature of an international agreement	x	x
Meetings and expertise used on professional level for planning the consultation procedure		x
Development of a database as open platform for obstacle identification	x	
Dissemination and communication activities	x	x

Table 8: Factors when operating the system:

Factors	Level of financing needs	
	Visegrad	National
Operating the obstacle database	x	
Meetings of the consultative platform	x	x
Dissemination and communication activities	x	x

## IV.7 Risk assessment

Factor	Description	Probability (1-5)	Impact (1-5)	Measure
Lack of political will	In order to sign an international agreement, there is a need for political engagement. The set-up and the operation of the platform does not require significant financial resources, in addition the status quo of the V4 cooperation would remain on a similar level which obviously decreases the risk.	1	3	Regular consultation on expert level between the V4 countries
				Preparation of consultation between the decision-makers by the V4 coordinators

<sup>9</sup> Sources dedicated to the Visegrad Cooperation through the International Visegrad Fund or any further regional platform.

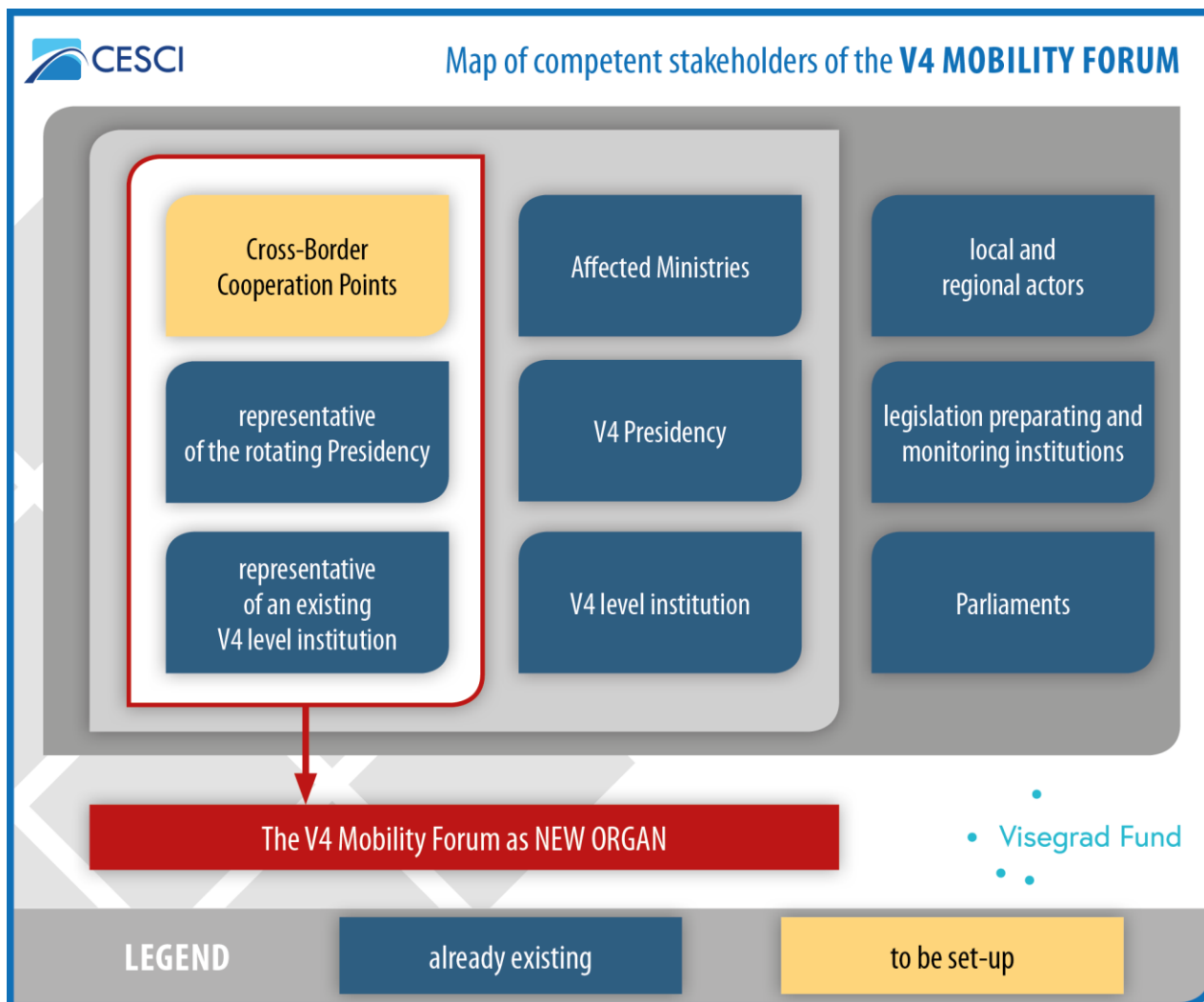
<sup>10</sup> National sources delegated to tasks delivered by national authorities.

Factor	Description	Probability (1-5)	Impact (1-5)	Measure
Lack of interest on local level	This model may focus on the obstacles coming from the ground through a database which requires the active participation of local and regional stakeholders. However, in the kick-off period, obstacles could be selected from other datasets.	3	1	Dissemination: regular consultations with the EGTCs, euroregions and further stakeholders to make them engaged to the initiative.
Low level of forcing power	The forcing power of the model is moderate since the agreement does not touch upon the obstacle elimination process itself, instead leaves the issue to be tackled on bilateral level.	4	3	CBCPs shall enhance the procedures on bilateral level by enhancing cooperation on expert level.
Personal changes	Personal changes in the obstacle managing structures and the cooperating organs can affect the bilateral elimination and the V4 consultation process.	3	2	Standardization of the procedures on bilateral and V4 level.
Financial shortages	Adequate financial resources shall be provided to the sound operation of the platform. However the model has moderate financial needs.	1	3	Dissemination and promotion of the results of the obstacle management on political level

## V. The model of the Mobility Forum

The second solution is more advanced in integration level, however it still is built upon existing institutions.

### V.1 Identify the competent authorities



It is presupposed that **all of the concerned actors exists and operates**, therefore the key missions to realise are

- to initiate cooperation between them:** The Forum shall be a similar organ to the already existing working groups operating at Visegrad Four level. This means that the existing procedures can be applied with the amendments required by the specificity of the topic.
- to set-up the coordination mechanisms:** which seem to be far more complex than in case of the consultative model.

## V.2 Set up a preparatory platform: initiate cooperation between the interested stakeholders

The competent high-level authorities with political power to be involved are:

1. Conference of Ministers of Foreign Affairs as high-level body of the Visegrad Group
2. V4 national coordinators
3. Governmental departments in charge of the ECBM Regulation

Competent stakeholders on expert level:

1. Experts in charge of the implementation of the ECBM Regulation / the CBCPs (if any)
2. An existing Visegrad Four institution

## V.3 Define the coordination mechanisms

### Important to note:

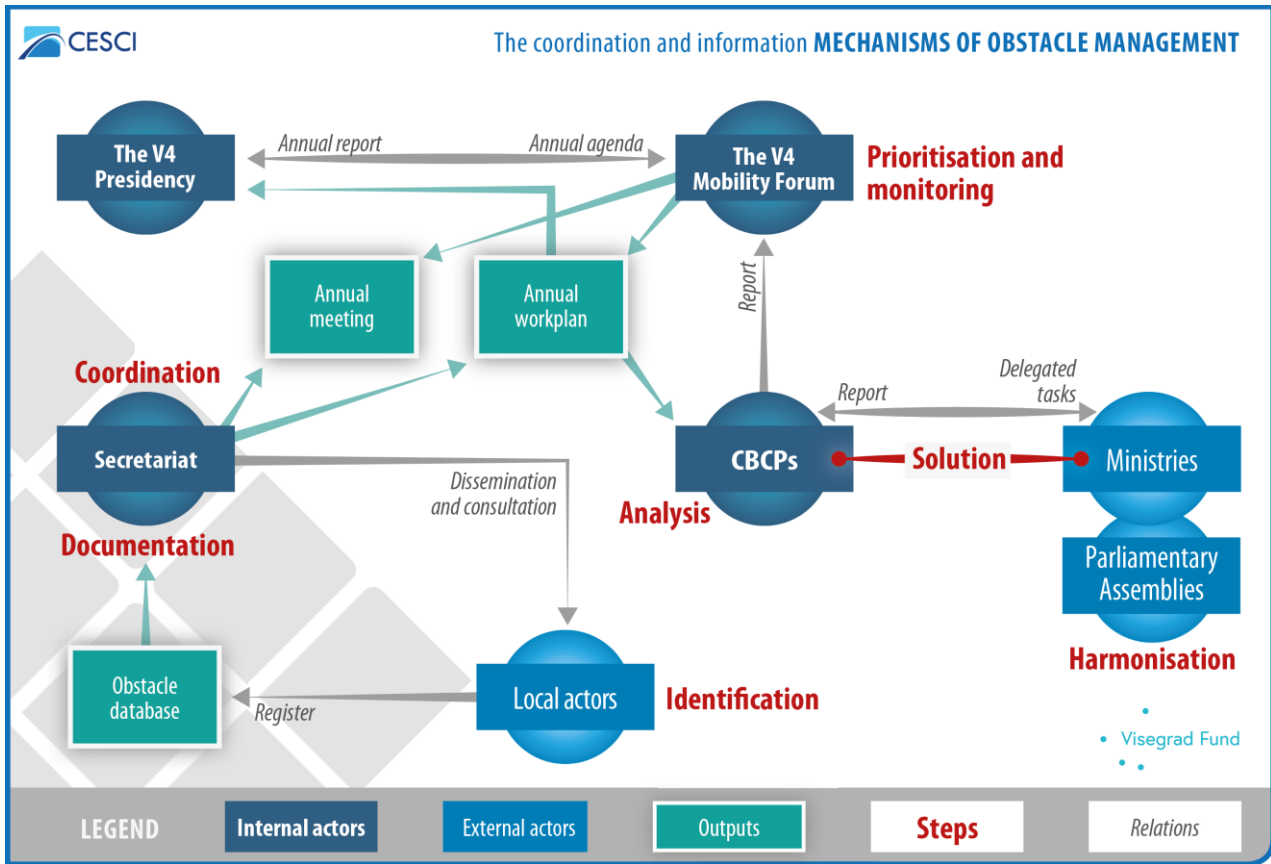
- The **difference in terms of consistency and permanency** is quite large between the consultative and the present model.
- Ideally, the Forum shall have far more **forcing power** than the consultative cooperation of CBCPs.



When planning and defining the coordination mechanisms, the following issues shall be addressed.

Steps of the elimination process	Related coordination tasks	Related communication tasks	Responsible actor(s)
Identification of the obstacles	Similarly to the previous solution, there is still a need for an open platform (database) which gathers, registers and sets out the obstacles from the ground.	It is essential to popularise the platform in order to mobilise the local and regional stakeholders.	Secretariat of the Mobility Forum

Steps of the elimination process	Related coordination tasks	Related communication tasks	Responsible actor(s)
Prioritisation	The list of obstacles to be addressed during the year shall be selected at the first annual meeting and documented in the annual work plan.	Regular communication must be provided both between the Secretariat and members and the local / regional actors (as the agents identifying obstacles) and the Secretariat.	Selection: CBCPs Documentation: Secretariat Identifying the obstacles: local, regional actors
Identifying the solutions	to analyse the national context of the selected obstacles to explore the available best practices to point out the particular harmonisation needs in the national legislations	Regular communication must be provided between the Secretariat, CBCPs and ad-hoc members (experts and representatives of relevant ministries) of the Forum.	CBCPs and ministries, competent national authorities Experts – in special cases
Coordination and monitoring of the national and V4 level obstacle management	To delegate the harmonisation tasks to the relevant national actors. To monitor and document (annual report) the elimination process both on national and V4 level.	Regular communication must be provided between the Secretariat and members, as well as the members and the relevant government bodies. Reporting to the V4 Presidency Dissemination of the results of the elimination process shall be communicated both internally (Visegrad Group) and externally (the general public)	Delegation: CBCPs and ad-hoc members Monitoring on national level: CBCPs Monitoring the process, drafting the annual report and dissemination on V4 level: Secretariat
Law-making process at national level	On national level the coordination and implementation of the legal harmonisation process shall be ensured, documented and reported – in compliance with national rules.	Regular communication must be provided between CBCPs, the relevant Ministries and the legislation preparation and monitoring institutions.	The relevant Ministries and legislation preparation and monitoring institutions of the 4 countries coordinated by the CBCPs



### Important to note:

- The **CBCP members** have crucial role in the process, hereby it is proposed to delegate such senior civil servants to these positions who have the adequate network capacities and experiences for efficiently influencing the national policy-making and legislative processes.
- In case if the Forum will be set up as a phase of an **evolutionary process**, the experiences gained from the previously operating model shall be capitalised.

## V.4 Define the internal rules (tasks and competencies)

The list of topics and questions to be addressed when drafting the internal rules:

- structure of the Mobility Forum with its permanent and ad-hoc members
- description of the frameworks for professional activities
- description of the administrative and communication procedures
- description of the competencies and professional tasks of the particular members
- description of the administrative tasks of the particular members.





**Important to note:**

- The Forum shall have ad-hoc members which means that the task and competency description shall also be formalised in compliance with these periodically changing actors which share similar tasks and competencies.

## V.5 Elaborate a workplan for the first period

In this case, the work plan should include

- the administrative tasks concerning the set-up of the structure,
- the professional tasks to be done in the pilot period. This pilot period could serve as a testing phase of the utterly new elimination mechanism, as a result of which the feasibility of the system can be proved.

## V.6 Financial background of the V4 Mobility Forum

*Table 9: Factors influencing the setting-up the structure*

Factors	Level of financing needs	
	Visegrad <sup>11</sup>	National <sup>12</sup>
Meetings of the political and government actors resulting in the signature of an international agreement	x	x
Meetings and expertise on professional level for planning and standardizing the obstacle elimination procedure (coordination and information mechanisms, internal rules)	x	x
Development of a database as open platform for obstacle identification	x	
Setting-up or development of the Secretariat	x	
Dissemination and communication activities	x	x

*Table 10: Factors influencing the operation of the structure*

Factors	Level of financing needs	
	Visegrad	National
Drafting the annual workplans and reports	x	
Operating the obstacle database	x	
Documentation and analysis of the obstacles	x	

<sup>11</sup> Sources dedicated to the Visegrad Cooperation through the International Visegrad Fund or any further regional platform.

<sup>12</sup> National sources delegated to tasks delivered by national authorities.

Factors	Level of financing needs	
	Visegrad	National
Analysis of the national context of the obstacles and legal harmonisation		x
Meetings of the V4 Mobility Council	x	x
Dissemination and communication activities	x	x

## V.7 Risk assessment

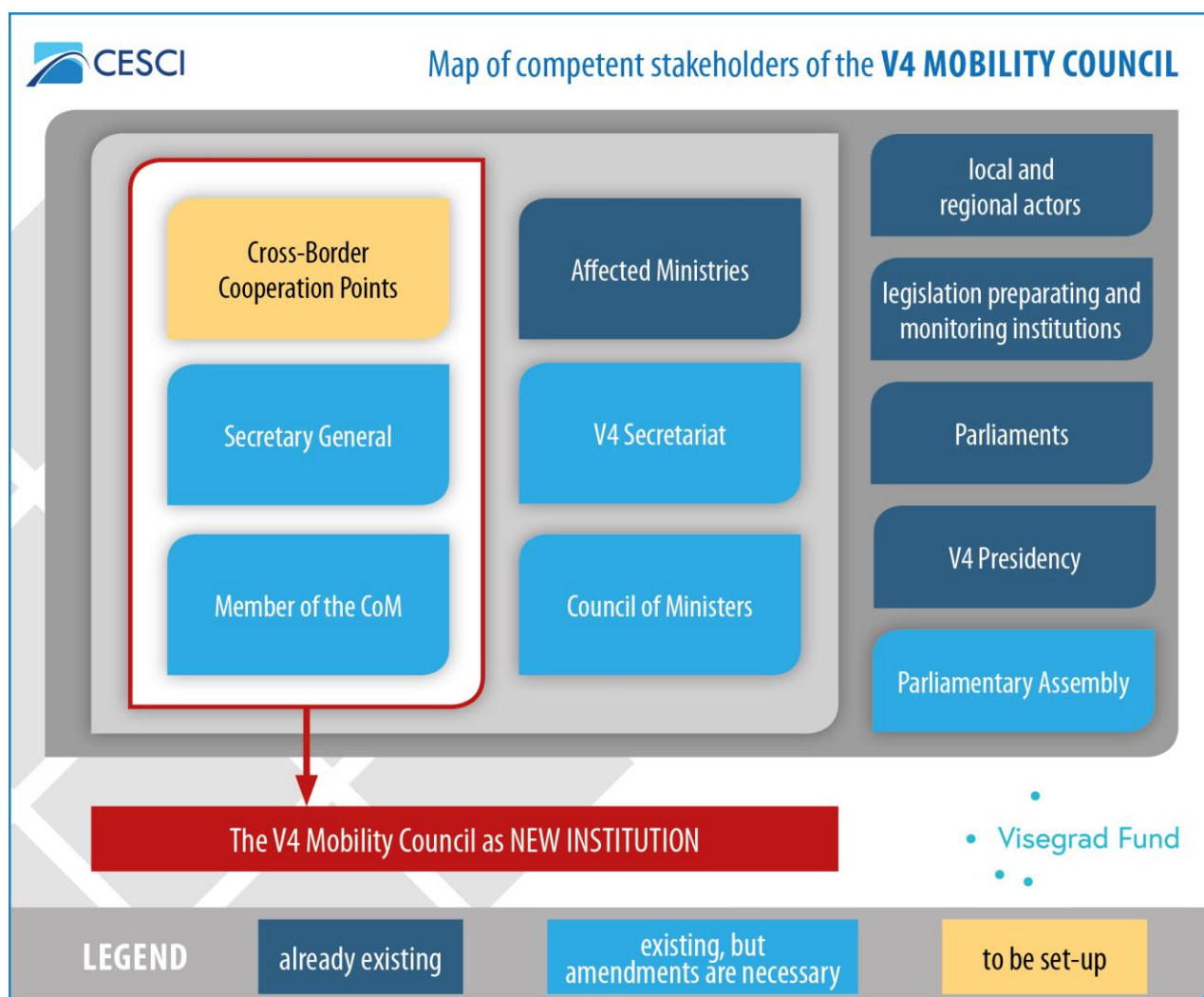
Factor	Description	Probability	Impact	Measure
Lack of political will	In order to set-up and operate the V4 Mobility Forum, there is obviously a need for political engagement resulting in an international agreement. Furthermore, for the successful and sound operation, capacities and resources must be dedicated by the national governments.	3	3	<p>Regular consultation on expert level between the V4 countries</p> <p>Regular information to the policy-makers of the V4 countries</p> <p>Preparation of consultation between the decision-makers by the V4 coordinators</p>
Lack of interest on local level	According to the model, the V4 Mobility Forum deals with the obstacles coming from the ground reported by local and regional actors through a database. The risk concerning the lack of interest on behalf of these stakeholders is valid, however the V4 Mobility Forum, as an organ has the capacity to tackle this issue. On the other hand, several obstacles to be dealt with have already been registered.	2	1	Dissemination: regular consultations with the EGTCs, euroregions and further stakeholders on local and regional level to make them committed to the initiative.
Low level of forcing power	Despite of that an international agreement shall be signed by the V4 governments, in practice, the forcing power of the V4 Mobility Council mainly depends on the capacity, engagement and embeddedness of CBCP members.	2	4	CBCP members should be senior civil servants with great experiences and appropriate connections on government level.

Factor	Description	Probability	Impact	Measure
Personal changes	Personal changes in the obstacle managing structures and the cooperating organs could affect the elimination process. The higher is the standardization level of the cooperation processes, the lower is the impact of the personal factor.	4	2	standardization of the procedures, clear task descriptions
				appropriate human resource selection procedure
Financial shortages	Adequate financial resources shall be provided to the sound and continuous operation of the V4 Mobility Forum which is not guaranteed automatically	2	3	dissemination and promotion of the results of the obstacle management on political level
				appropriate budget planning

## VI. The model of the V4 Mobility Council

The third model of the V4 Mobility Council and a comprehensive institutional system under the umbrella of the Visegrad Cooperation Council is the most advanced solution.

### VI.1 Identify the competent authorities



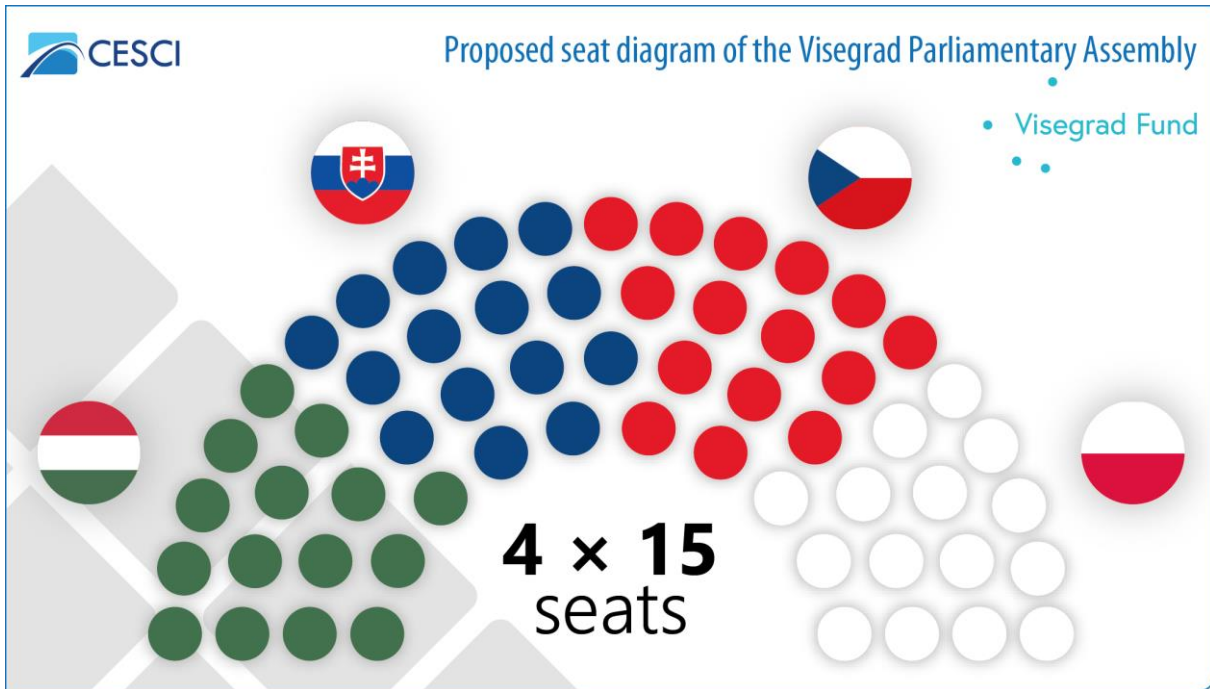
Compared to the Mobility Forum, this solution does not envisage remarkably more complex mechanism for the obstacle management, but it necessitates **much greater level of institutionalization** of the Visegrad cooperation. Therefore the **key issue is to set-up the missing parts of the cooperation structure**, which are the followings:

## The Visegrad Parliamentary Assembly

**Role:** highest legislative decision-preparing body

**Function:** consultation among national parliaments of the V4 countries, preparation of political decisions

**Level of novelty:** high since inter-parliamentary cooperation is on a low level recently



## The Council of Ministers for Visegrad cooperation

**Role:** highest political decision-making body

**Function:** forms the intergovernmental cooperation of the V4 countries

**Level of novelty:** moderated since the already existing Conference of Ministers of Foreign Affairs could serve as a basis



## The Secretariat

**Role:** executive body

**Function:** administration and non-political representation of the Visegrad Group

**Level of novelty:** moderated since one of the already existing V4 institutions could serve as a basis

### Important to note:

The concept of the V4 Mobility Council **presumes the quasi-existence** of the previously listed organs which presupposes the existence of a higher level of regional integration (what is not the case at the moment).

## VI.2 Set up a preparatory platform: initiate cooperation between the interested stakeholders

Competent high-level authority with political power to be involved is: Visegrad Council of Ministers

Competent stakeholders on expert level:

- Experts in charge of the implementation of the ECBM Regulations / the CBCPs (if any)
- V4 Secretariat.

## VI.3 Define the coordination mechanisms

### Important to note:

- The solution operates in the same way as it is described in the previous model with the difference in **the competency of setting up thematic working groups** in the targeted policy areas.
- Simultaneously, some of the coordination mechanisms shall be more implicit and organic within the Visegrad framework as a result of the other organs and the inter-linkages between them.

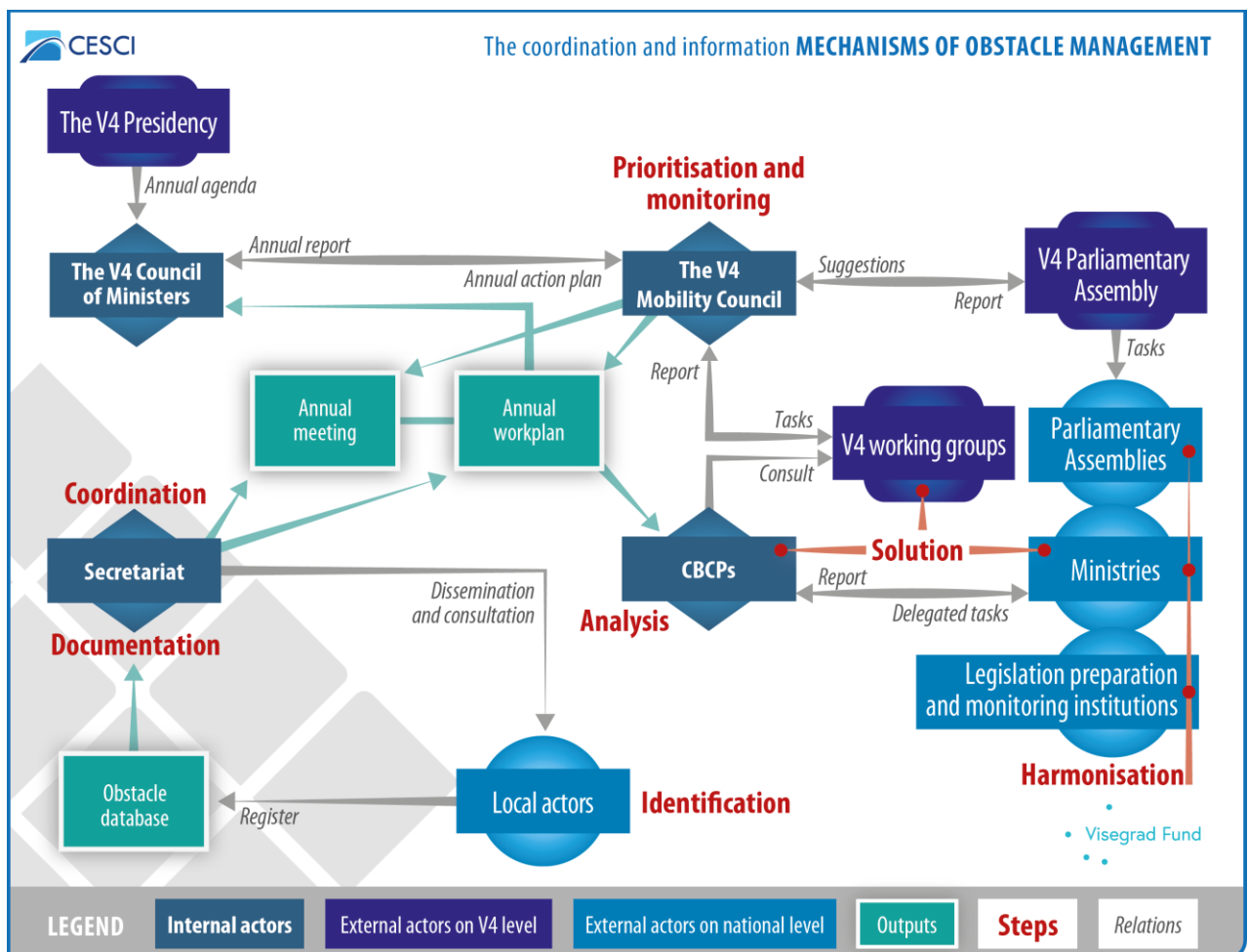
Where there is a difference in the coordination mechanism between this and the previous model, it is highlighted by coloured letters.

Steps of the elimination process	Related coordination matters	Related communication matters	Responsible actor(s)
Identification of the obstacles	There is a need for an open platform (database) which gathers, registers and sets out the obstacles from the ground.	It is essential to popularise the platform in order to mobilise the local and regional stakeholders.	Secretariat

Steps of the elimination process	Related coordination matters	Related communication matters	Responsible actor(s)
Documentation and classification of the obstacles	<ul style="list-style-type: none"> <li>The methodology for evaluating the inputs coming from the ground shall be developed.</li> <li>The results shall be documented in the beginning of each year.</li> </ul>	The documentation shall be shared with the permanent and ad-hoc members of the Mobility Council, including the relevant Ministries from the V4 countries <b>and the working groups from V4 level.</b>	Secretariat
Prioritisation	The list of obstacles to be addressed during the year shall be selected at the first annual meeting and documented in the annual work plan.	Regular communication must be provided between the Secretariat and members, and the local / regional actors (as the agents identifying obstacles) and the Secretariat.	<ul style="list-style-type: none"> <li>Selection: Mobility Council</li> <li>Documentation: Secretariat</li> <li>Identifying the obstacles: local, regional actors</li> </ul>
Identifying of the solutions	<ul style="list-style-type: none"> <li>to analyse the national context of the selected obstacles</li> <li>to explore the available best practices</li> <li><b>to set-up working groups on V4 level if necessary</b></li> <li>to point out the particular harmonisation needs in the national legislation</li> </ul>	Regular communication must be provided both between the Secretariat, CBCPs and ad-hoc members of the Forum.	CBCPs, V4 working groups and ministries, and competent national authorities Experts – in special cases
Coordination and monitoring of the national and V4 level obstacle management	<ul style="list-style-type: none"> <li>to delegate the harmonisation tasks to the relevant national actors.</li> <li>To monitoring and document (annual report) the elimination process both on national and V4 level.</li> </ul>	<ul style="list-style-type: none"> <li>Regular communication must be provided between the Secretariat and members, as well as the members and the relevant government bodies.</li> <li><b>Reporting to the V4 Council of Ministers</b></li> <li>Dissemination of the results of the elimination process shall be communicated both internally (Visegrad Group) and externally (the general public)</li> </ul>	<ul style="list-style-type: none"> <li>Delegation: CBCPs and ad-hoc members</li> <li>Monitoring on national level: CBCPs</li> <li>Monitoring the process, drafting the annual report and dissemination on V4 level: Secretariat</li> </ul>



Steps of the elimination process	Related coordination matters	Related communication matters	Responsible actor(s)
Law-making process at <b>Visegrad</b> and national level	<ul style="list-style-type: none"> <li>• <b>The Council should inform the V4 Parliamentary Assembly about the topics on the table.</b></li> <li>• On national level the coordination and implementation of the legal harmonisation process shall be ensured, documented and reported.– in compliance with national rules.</li> </ul>	<ul style="list-style-type: none"> <li>• Regular communication must be provided between CBCPs, the relevant Ministries, and the legislation preparation and monitoring institutions.</li> <li>• <b>A representative of the Forum should be appointed to report on their activities at the meetings of the Parliamentary Assembly</b></li> <li>• <b>Members of the Parliamentary Assembly should forward the information on national level</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>V4 Parliamentary Assembly and its members</b></li> <li>• The relevant Ministries and legislation preparation and monitoring institutions of the 4 countries coordinated by the CBCPs.</li> </ul>



## VI.4 Define the internal rules

List of questions to be addressed:

- structure of the Mobility Council with its permanent and ad-hoc members as well as the adjacent bodies
- description of the professional internal procedures
- description of the administrative internal procedures
- description of the professional procedures towards the adjacent bodies
- description of the administrative procedures towards the adjacent bodies
- description of the competencies and professional tasks of each member
- description of the administrative tasks of the particular members



## VI.5 Elaborate a work plan for the first period

- In this case this phase should focus on the establishment of the structure with all the new organs and institutions together with the related administrative tasks.
- Furthermore, the professional tasks to be done in the pilot period should be discussed. This pilot period could serve as a testing phase of the utterly new organisational set-up.

## VI.6 Financial background of the V4 Mobility Council

Table 11: Factors influencing the setting-up of the structure

Factors	Level of financing needs	
	Visegrad <sup>13</sup>	National <sup>14</sup>
Meetings of the political and government actors targeting to sign the international agreement	x	
Meetings and expertise at professional level for planning and standardizing the obstacle elimination procedure (coordination and information mechanisms, internal rules)	x	
Development of a database as open platform for obstacle identification	x	
Development of the Secretariat	x	
Dissemination and communication activities	x	x

Table 12: Factors influencing the operation of the structure

Factors	Level of financing needs	
	Visegrad	National
Operating the V4 Secretariat	x	
Drafting the annual workplans and reports	x	
Operating the obstacle database	x	
Documentation and analysis of the obstacles	x	
Analysis of the context of the obstacles and legal harmonisation	x	x
Meetings of the V4 Mobility Council	x	

<sup>13</sup> Sources dedicated to the Visegrad Cooperation through the International Visegrad Fund or any further regional platform.

<sup>14</sup> National sources delegated to tasks delivered by national authorities.

Factors	Level of financing needs	
	Visegrad	National
Participation in the meetings of the V4 PA and CoM	x	
Dissemination and communication activities	x	x

## VI.7 Risk assessment

Factor	Description	Probability	Impact	Measure
Lack of political will	The third model drafts a Visegrad cooperation structure which requires significantly higher level of integration than the other two options. At the same time, it needs appropriate political commitment on behalf of each V4 countries to establish and operate not only the V4 Mobility Council but the whole institutional framework.	4	3	Regular consultation between the decision-makers
				Regular consultation and lobby on expert level by the V4 coordinators and the ECBM experts
Lack of interest on local level	Similarly to the former solutions, the V4 Mobility Council deals with the obstacles coming from the ground reported by local and regional actors through a database. Since it is expected that the operation of the Mobility Council will be grounded by simpler solutions within an evolutionary process, the cooperation with local and regional actors shall be well-based.	1	1	Dissemination: regular consultations with the EGTCs, euroregions and further stakeholders on local and regional level to make them committed to the initiative.
Personal changes	Personal changes in the obstacle managing structures and the cooperating organs could affect the elimination process. Since the higher is the standardization level of the cooperation processes, the is lower the impact of the personal factor; this model is the most stable one in this term among the three options.	4	1	standardization of the procedures, clear task descriptions
				appropriate human resource selection procedure

Factor	Description	Probability	Impact	Measure
Financial shortages	Adequate financial resources shall be provided to the sound and continuous operation of the V4 Mobility Council and all further organs of the structure. The model has significantly higher financial needs than the former ones, for which only political will required to the set-up of the structure is able to guarantee the financial framework.	1	2	dissemination and promotion of the results of the obstacle management on political level
				appropriate budget planning