MANUAL ON REMOVING OBSTACLES TO CROSS-BORDER COOPERATION

I.S.I.G.
Istituto di Sociologia Internazionale
Institute of International Sociology
Gorizia

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

MANUAL ON REMOVING OBSTACLES TO CROSS-BORDER COOPERATION

Prepared by I.S.I.G.
Istituto di Sociologia Internazionale di Gorizia
via Mazzini 13, 34170 Gorizia (Italy)
Tel. +39.0481.533632
www.isig.it - isig@isig.it

Adopted by the European Committee on Local and Regional Democracy (CDLR) in Novemver 2013
Secretariat : Democratic Institutions and Governance Department - Directorate General of Democracy
Council of Europe
F-67075 Strasbourg Cedex
www.coe.int/local

FOREWORD

Since its establishment in 1949, the Council of Europe has consistently worked for the development of a "Europe without dividing lines" in the spheres of human rights, rule of law and democracy. The Organisation has paid special attention *inter alia* to local and regional governance and in particular to the promotion of effective local democracy, citizens' participation and facilitated co-operation between local and regional authorities across political and geographical boundaries.

Four conventions, several recommendations and a handful of practical tools (all available at www.coe.int/local) embody this work aimed at making cooperation between neighbouring or non-adjacent territorial communities or authorities legally feasible and practically sustainable. According to these texts, the main actors of crossborder cooperation are rather local authorities across member States that member States, and the beneficiaries are their citizens.

This Manual provides with a compilation and an analysis of both difficulties recorded across the frontiers and solutions found to overcome them. It has been elaborated on the basis of a major survey launched in 2009 by the ministers responsible for local and regional government of the 47 member States. The data collected through a questionnaire have been systematised and organised in such a way as to enable all actors of crossborder cooperation to find examples and solutions that may meet their particular needs. All recorded CBC examples are thoroughly referenced and can be traced back to the original source.

The Manual is a snapshot of the situation at the end of 2013. It will be completed by an electronic platform hosted by ISIG that will be constantly updated with new data and experience (cbc.isig.it).

The Council of Europe is confident that this Manual will prove useful to all those involved in crossborder cooperation – central governments, local and regional authorities, associations and citizens – and encourages them to disseminate, to use and to enrich it throught the electronic plateform.

INDEX

INTRODUCTION 1

UNDERSTANDING CBC 7

Setting the basis for cooperation 7

Setting the pace for cooperation 8

Setting the goals for cooperation 9

Identifying a cross-border problem 9

Identifying appropriate goals 10

Identifying border opportunities 12

CBC ACTORS, COMPETENCIES AND LEGAL PROVISIONS 14

Identifying actors 14

Local Authorities 14

State/Regional Actors 16

Civil Society 18

Identifying competencies 18

Identifying the legal framework 19

Identifying appropriate CBC structures 21

Informal CBC arrangements 21

CBC agreement 21

CBC bodies governed by private law 21

CBC bodies governed by public law 22

AREAS FOR CBC 24

1. Mobility and transport 25

1.1 Cross-border public transport 26

1.2 Cross-border transport infrastructure 28

1.3 Border-crossing infrastructures 29

1.4 Institutional frameworks 29

1.5 Legal frameworks 30

1.6 Financial frameworks 30

2. Health-care 31

2.1 Mobility of patients 32

2.2 Mobility of staff 32

2.3 Cooperation between hospitals 33

2.4 Cooperation between Health Authorities 33
2.5 Emergency care 34
2.6 Rescue services 34
2.7 Legal frameworks 34
2.8 Financial frameworks 36
3. Education and training 36
3.1 Mobility of students 37
3.2 Mobility of teachers 38
3.3 Mobility of workers 39
3.4 Cross-border institutions 40
3.5 Legal frameworks 41
3.6 Financial frameworks 42
4. Labour market 43
4.1 Job matching 43
4.2 Cross-border mobility 44
4.3 Social security frameworks 44
4.4 Institutional frameworks 45
4.5 Legal frameworks 45
4.6 Financial frameworks 46
5. Crisis and disaster/emergency management 47
5.1 Preparedness 47
5.2 Emergency response 48
5.3 Cross-border Infrastructure 48
5.4 Institutional frameworks 48
5.5 Legal frameworks 49
5.6 Financial frameworks 50
6. Crime prevention and criminal investigation 50
6.1 Investigation 50
6.2 Exchange of information 51
6.3 Infrastructure protection 51
6.4 Patrolling 51
6.5 Institutional frameworks 52
6.6 Legal frameworks 53
6.7 Financial frameworks 53

7. Environment 54
7.1 Protection of natural heritage 55
7.2 Pollution prevention 55
7.3 Environmental management 56
7.4 Institutional frameworks 56
7.5 Legal frameworks 57
7.6 Financial frameworks 58
8. Co-financing EU funds 58
8.1 Access to funding 59
8.2 Access to co-financing 59
8.3 Access to EU financing 60
HOW TO IDENTIFY OBSTACLES 64
Identifying obstacles in specific operational areas 64
Identifying factors contributing to obstacle persistence 67
Identifying the appropriate institutional level to address obstacles 70
1. Obstacles pertaining different CBC areas 71
1.1 Mobility and (public) transport 71
1.2 Health care 73
1.3 Education and Training 74
1.4 Access to labour market 75
1.5 Media and telecommunications 76
1.6 Crisis Management 76
1.7 Crime prevention/Security 78
1.8 Environment 78
1.9 Financing 79
2. Reasons for obstacles persistence 82
2.1 Institutional factors 82
2.2 Administrative factors 84
2.3 Economic factors 84
2.4 Expertise 85
2.5 Cultural factors 85
2.6 Propensity to cooperate 85
3. Obstacles to be removed by unilateral action (state/regional) 87
3.1 Institutional factors 87

3.2 Administrative factors 88
3.3 Economic factors 89
3.4 Expertise 89
3.5 Cultural factors 89
3.6 Propensity to cooperate 89
4. Obstacles to be removed by coordination between state and regional actors 90
4.1 Institutional factors 90
4.2 Administrative factors 91
4.3 Economic factors 91
4.4 Expertise 91
4.5 Cultural factors 91
4.6 Propensity to cooperate 91
5. Obstacles to be removed by international cooperation 93
5.1 Institutional factors 93
5.2 Administrative factors 94
5.3 Economic factors 94
5.4 Expertise 95
5.5 Cultural factors 95
5.6 Propensity to cooperate 95
IDENTIFYING SOLUTIONS 97
1. Good cooperation practices pertaining different CBC areas 98
1.1 Mobility and (public) transport 99
1.2 Health care 99
1.3 Education and Training 99
1.4 Access to labour market 100
1.5 Crisis Management 100
1.6 Crime prevention 101
1.7 Environment 101
1.8 Financing 101
2. Factors enhancing CBC success 102
2.1 Institutional factors 102
2.2 Administrative factors 104
2.3 Economic factors 104
2.4 Expertise 104

2.5 Cultural factors 105
2.6 Propensity to cooperate 105
3. Best practices in identifying and removing obstacles 107
3.1 Institutional factors 108
3.2 Administrative factors 110
3.3 Economic factors 111
3.4 Expertise 111
3.5 Cultural factors 111
3.6 Propensity to cooperate 112
4. Best practices in identifying cross-border territory as spatial planning unit 113
4.1 Institutional factors 114
4.2 Administrative factors 114
4.3 Economic factors 115
4.4 Expertise 115
4.5 Cultural factors 116
4.6 Propensity to cooperate 116
5. Best practices in developing cross-border cooperation 117
5.1 Institutional factors 117
5.2 Administrative factors 118
APPENDIX A – CASE STUDY FICHE 120
CASE STUDY 1. GNP-EGTC (Euroregion Galicia Norte de Portugal-European Grouping on Territorial Cooperation) 120
A. SUMMARY OF CBC 120
B. EFFECTIVENESS OF CBC: THE CROSS-BORDER AREA 120
C. EFFECTIVENESS OF CBC: NATIONAL AND INTERNATIONAL CONTEXTS 122
D. STRUCTURE OF THE CBC BODY 122
E. EVALUATION OF CBC 123
CASE STUDY 2. ØRESUND REGION 124
A. SUMMARY OF CBC 124
B. EFFECTIVENESS OF CBC: THE CROSS-BORDER AREA 124
C. EFFECTIVENESS OF CBC: NATIONAL AND INTERNATIONAL CONTEXTS 125
D. STRUCTURE OF THE CBC BODY 125
E. EVALUATION OF CBC 126
CASE STUDY 3. EUROREGION MURA-DRAVA 127

A. SUMMARY OF CBC 127
B. EFFECTIVENESS OF CBC: THE CROSS-BORDER AREA 127
C. EFFECTIVENESS OF CBC: NATIONAL AND INTERNATIONAL CONTEXTS 128
D. STRUCTURE OF THE CBC BODY 128
E. EVALUATION OF CBC 128
CASE STUDY 4. VALGA - VALKA EUROREGION : “1 city 2 states” 129
A. SUMMARY OF CBC 129
B. EFFECTIVENESS OF CBC: THE CROSS-BORDER AREA 129
C. EFFECTIVENESS OF CBC: NATIONAL AND INTERNATIONAL CONTEXTS 130
D. STRUCTURE OF THE CBC BODY 130
E. EVALUATION OF CBC 131
CASE STUDY 5. EUREGIO MEUSE-RHIN 132
A. SUMMARY OF CBC 132
B. EFFECTIVENESS OF CBC: THE CROSS-BORDER AREA 132
C. EFFECTIVENESS OF CBC: NATIONAL AND INTERNATIONAL CONTEXTS 134
D. STRUCTURE OF THE CBC BODY 134
E. EVALUATION OF CBC 135
CASE STUDY 6. GRANDE RÉGION (THE GREATER REGION) 136
A. SUMMARY OF CBC 136
B. EFFECTIVENESS OF CBC: THE CROSS-BORDER AREA 137
C. EFFECTIVENESS OF CBC: NATIONAL AND INTERNATIONAL CONTEXTS 137
D. STRUCTURE OF THE CBC BODY 137
E. EVALUATION OF CBC 139
APPENDIX B – FROM OBSTACLES TO SOLUTIONS 140
1. Summary of responses 140
2. Mobility and public transport 142
2.1 Cross-border public transport 142
2.2 Cross-border transport infrastructure 143
2.3 Border-crossing infrastructures 143
3. Education and Training 146
3.1 Cross-border institutions 146
3.2 Mobility of workers 149
4. Labour market 153
4.1 Job matching 153

4.2 Funding of cross-border entrepreneur projects 154
4.3 Network for Border information centers 156
4.4 Cross-border mobility 158
4.5 Job matching 158
4.6 Cross-border mobility/Institutional framework 159
4.7 TBD 160
5. Crisis /Disaster / Emergency Management 161
5.1 Preparedness 161
6. Crime prevention and Criminal Investigation 163
6.2 Patrolling 163
7. Institutional cooperation 164
7.1 EGTC setting up 164
7.2 Cross-border mobility 167
7.3 Setting up cross-border agencies 169
8. Tourism 170
APPENDIX C – THE CBC AMBASSADOR - THE FRENCH EXPERIENCE 173
1. Institutional settings 173
2. Mission(s) 173
3. Scope of action 173
4. Examples from the French experience 173
France-Spain 173
France-Italy 174
France-Luxemburg 174
France-Switzerland 174
France-Germany 174
APPENDIX D – LEGAL FRAMEWORK REFERENCE TABLES 175
REFERENCES 180

LIST OF TABLES

Table 1 - List of (local) actors per country and CBC instance(s) 15
Table 2 - List of (state/regional) actors per country and CBC instance(s) 16
Table 3 - Frequency of CBC instances in the Mobility and Transport area 25
Table 4 - Frequency of CBC instances in the Health-care area 31
Table 5 - Frequency of CBC instances in the Education area 36
Table 6 - Frequency of CBC instances in the Vocational training area 37
Table 7 - Frequency of CBC instances in the Labour Market area 43
Table 8 - Frequency of CBC instances in the Crisis and disaster/emergency area 47
Table 9 - Frequency of CBC instances in the Crime prevention and criminal investigation area 50
Table 10 - Frequency of CBC instances in the Environment area 54
Table 11 - Frequency of CBC instances on accessing EU funds 59
Table 12 - Frequency of obstacles pertaining different CBC areas 71
Table 13 - Frequency of factors identified as reasons for the persistence of CBC obstacles 82
Table 14 - Frequency of obstacles to be removed by unilateral action 87
Table 15 - Frequency of obstacles to be removed by coordination between state and regional actors 90
Table 16 - Frequency of obstacles to be removed by international cooperation 93
Table 17 - Factors determining the variety of CBC development 97
Table 18 - Frequency of identified good cooperation practices pertaining different CBC areas 98
Table 19 - Frequency of factors identified as enhancing the success of CBC instances 102
Table 20 - Frequency of best practices in identifying and removing obstacles 107
Table 21 - Frequency of best practices in identifying cross-border territory as spatial planning unit 113
Table 22 - Frequency of best practices in developing cross-border cooperation 117
Table 23- The landmarks of the international legal framework on CBC 175
Table 24 – European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities – Summary table 175
Table 25 – Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities – Summary table 176
Table 26 – Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning interterritorial co-operation – Summary table 177
Table 27 – Protocol No. 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning Euroregional Co-operation Groupings (ECGs) – Summary table 178
Table 28 – Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC) – Summary table 179

LIST OF FIGURES

Figure 1 - Rec(2005)2 Main recommendations 2
Figure 3- The Manual sections 4
Figure 2 - The Manual goals 4
Figure 4 - The phases of CBC 8
Figure 5 - Self-reinforcing, coherent CBC actions 13
Figure 6- Factors determining the possibilities of CBC 14
Figure 7 - A logical step by step process 23
Figure 8 - the dimensions for the identification of obstacles 65

LIST OF GUIDING QUESTIONS

Guiding Qs 1 - Setting up CBC 7
Guiding Qs 2 - Understanding the pace of CBC 9
Guiding Qs 3 - Identifying a Cross-border problem 10
Guiding Qs 4 - Using SMART indicators to set CBC goals (Meyer, 2003) 11
Guiding Qs 5 - The levels of cooperation and possible objectives 12
Guiding Qs 6 - Identifying powers and competencies across borders 19
Guiding Qs 7 - Identifying the legal framework 20
Guiding Qs 8 - Identifying CBC areas (Mobility and transport) 25
Guiding Qs 9 - Identifying CBC areas (Health care) 31
Guiding Qs 10 - Identifying CBC areas (Education and training) 36
Guiding Qs 11 - Identifying CBC areas (Labour Market) 43
Guiding Qs 12 - Identifying CBC areas (Crisis and disaster/emergency management) 47
Guiding Qs 13 - Identifying CBC areas (Crime prevention and criminal investigation) 50
Guiding Qs 14 - Identifying CBC areas (Environment) 54
Guiding Qs 15 - Identifying CBC areas (Co-financing EU funds) 58
Guiding Qs 16 - Identifying obstacles dimensions 66
Guiding Qs 17- Identifying the appropriate institutional level to address obstacles 70

INTRODUCTION

Cross-border cooperation (CBC) is a concerted process of building neighbourly relationships between local stakeholders and authorities on both sides of national land and sea borders. It is a highly heterogeneous process in terms of relations, actors, institutional settings, legal frameworks and financial tools involved.

CBC is not about conveying additional powers to border communities or authorities. Rather, CBC is a more efficient way of exercising their powers and implementing actions which are effective, efficient and coherent. This implies the knowledge of the cross-border area in terms of its characteristics and challenges, the definition of a coherent strategy for its development, the knowledge of the viable legal and financial tools, the stakeholders' good will and a certain degree of creativity.

Implementing CBC actions is fundamentally determined by the way in which states are organized, by the capacities and competencies of local authorities and communities, by the access to relevant legal and financial frameworks and by the propensity to cooperate of the stakeholders of a border area. CBC actions, thus, vary considerably from one border area to another. Several factors account for the diversity within and beyond European borders. Notwithstanding local peculiarities, cooperation initiatives across borders share a number of similarities and successful CBC instances are characterised by the continuous elaboration of solutions to obstacles which arise in their implementation.

Starting with the definition of the legal framework for cross-border co-operation - developed in the European Outline Convention on transfrontier co-operation between territorial communities or authorities (the Madrid Convention) of 1980, followed by three protocols adopted respectively on 9 November 1995, 5 May 1998 and 19 November 2009 - the Council of Europe has made transfrontier co-operation between territorial communities or authorities a constant priority.

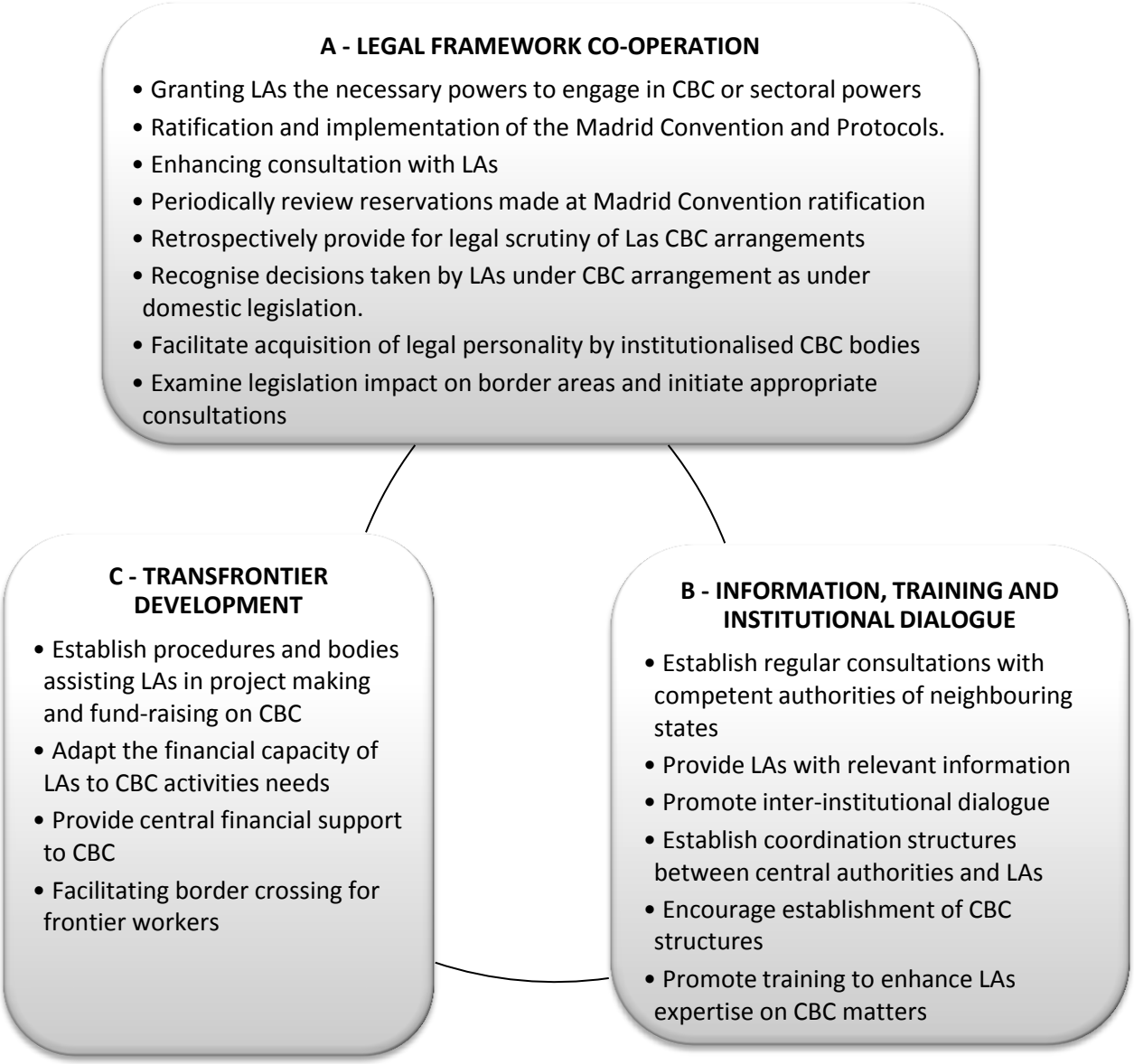
These main legal instruments have been supplemented by a number of recommendations adopted by the Committee of Ministers, in particular Recommendation Rec(2005)2 on good practices in and reducing obstacles to transfrontier and interterritorial cooperation between territorial communities or authorities (Council of Europe (COE), 2005).

While highlithing the importance of the generalisation of good practices and of the removal of obstacles in the field, Rec(2005)2 lays out a number of recommendations to governments of member states pertaining to:

- ✓ Measures concerning the legal framework for transfrontier and interterritorial co-operation;
- ✓ Measures concerning information, training and institutional dialogue; and
- ✓ Measures concerning transfrontier development.

The following graphic summarises the main recommendations singled out in Rec(2005)2 Appendix.

Figure 1 - Rec(2005)2 Main recommendations[1]



The benefits to be mutually gained by cooperating across borders and the common added values of CBC are being increasingly recognized by the relevant actors throughout Europe. However, notwithstanding the progress made so far, obstacles to CBC are still hindering the potential of cooperation in border areas across Europe.The Manual on Removing Obstacles to CBC is intended to be a companion for CBC actors interested in promoting further cooperation activities across national borders. The Manual approach originates in the consideration that neither the problems suffered by a cross-border area nor their solutions respect national borders but that cross-border areas across Europe share similar functional characteristics and challenges.

[1] These measures or "good practices" are addressed to central authorities or federal entities, according to the administrative organisation of a state. It implies that central authorities are held responsible for defining the legal framework for and supervising the activities of territorial communities or authorities.

This means that:

- ✓ *The obstacles to develop CBC I face today may be similar to those other CBC actors have already faced and successfully overcome;*
- ✓ *Learning about successful CBC instances will help me develop new CBC activities or think differently about what I am doing;*
- ✓ *If others face the same obstacles, we can network to brainstorm new solutions*

Cross-border areas expand beyond national borders and find their rationale for cohesion in the functional characteristics and challenges local communities share.

The problems faced are directly related to the presence of a border. Overcoming them is about developing joint cross-border strategies. Although, cooperation often stalls over lack of reciprocal confidence and ideological competition, CBC actions can lead to the real improvement of living conditions on both sides of the border. This is what CBC does. Its success is built on clear concrete objectives and the willingness to cooperate.

Neither the problems suffered by a cross-border area, nor their solutions, respect national borders and cross-border areas across Europe share similar functional characteristics and challenges.

The mutual knowledge and joint effort of local, regional and state authorities as well as local and regional civil society actors and practitioners are key factors in the promotion of CBC and the cohesion of a cross-border area.

Although there is a widespread and (still) growing awareness of the added value of cross-border cooperation, unsuccessful experiences, unexpected impacts or enduring obstacles may endanger the development of CBC, causing setbacks, citizens' scepticism and resentment.

The Manual intends to assist practitioners in developing solutions to the obstacles they face by accompanying them in their CBC activities:

1. **THE ASSESSMENT OF COOPERATION IN THE CROSS-BORDER AREA;**
2. **THE UNCOVERING OF OBSTACLES IN SPECIFIC FUNCTIONAL COOPERATION FIELDS; and**
3. **THE IDENTIFICATION OF PRACTICAL, PLACE-BASED SOLUTIONS, based on a mutual-learning approach with other CBC actors.**

Ultimately, CBC actors will be empowered with:

- ✓ a better knowledge of the CBC context in which they operate;
- ✓ a clearer identification of core problems of the cross-border area; and
- ✓ the opportunity to benchmark their effort against those of the wider CBC community.

Figure 3- The Manual sections

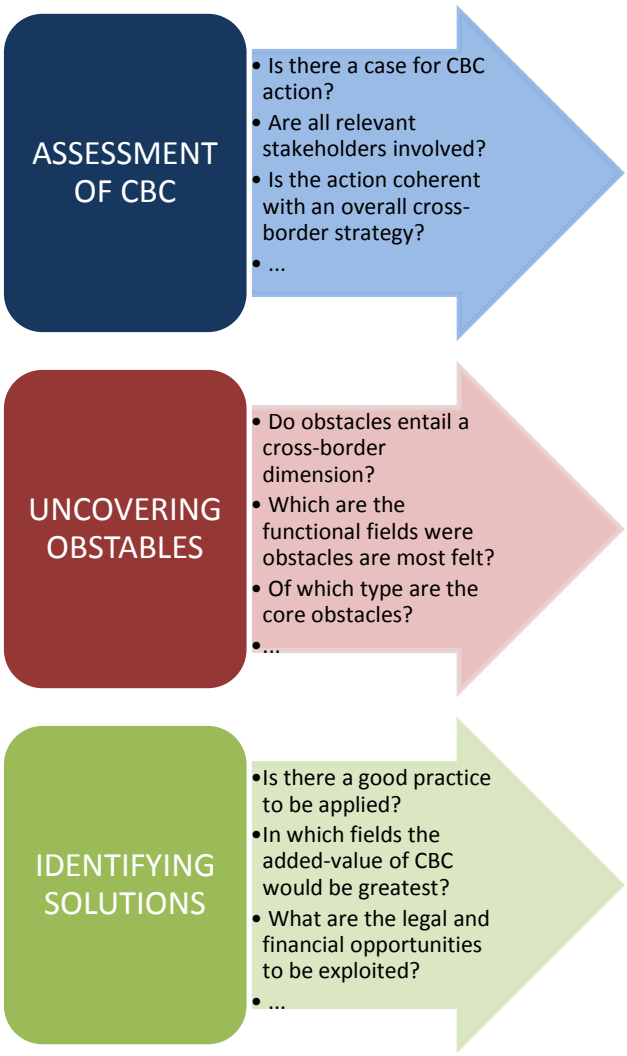
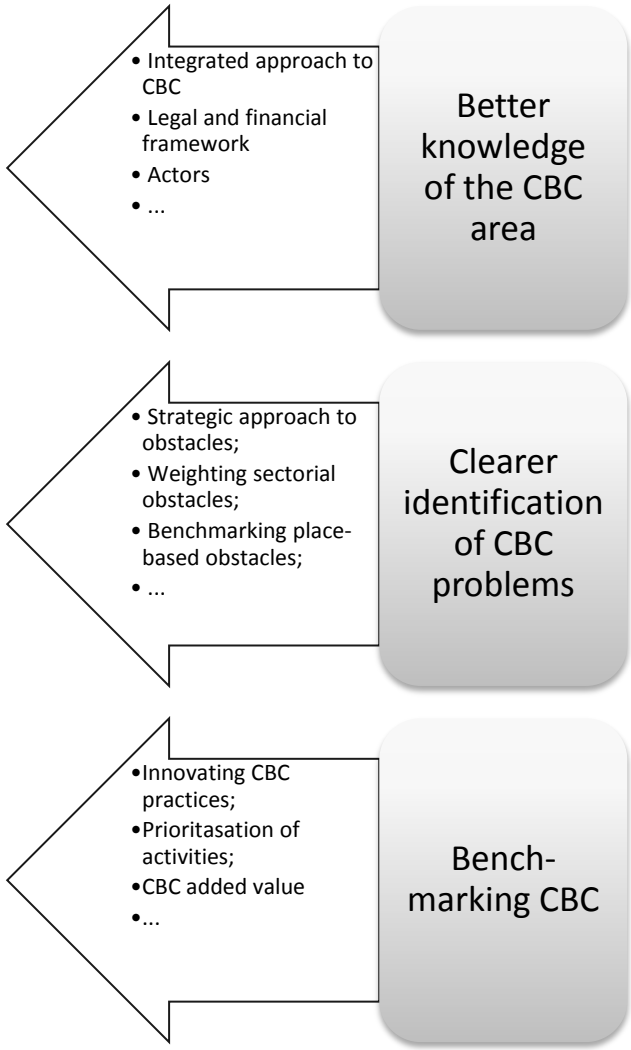
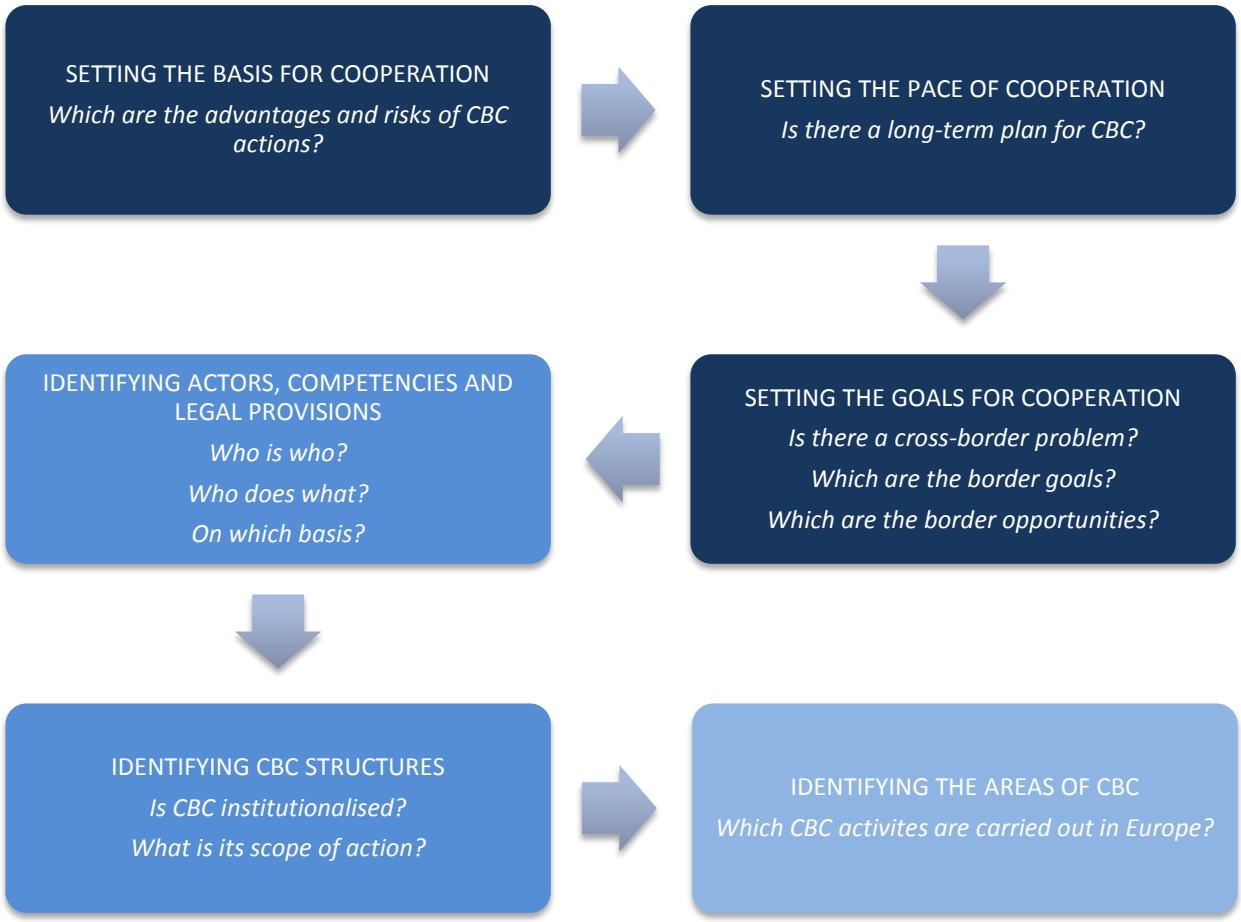


Figure 2 - The Manual goals



Understanding *where one is at* is indispensable to appreciate fully the impact of an obstacle on the CBC process. Therefore, in order to single out an obstacle and be able to identify a proper strategy for its removal it is important to fully appreciate the context of cooperation within which that obstacle is felt. Without a prior knowledge of the local-based CBC, identified solutions to obstacles may lead to failure, waste of resources and, in the long-run, lead to wide-spread frustration among CBC actors.

Section 1 of the Manual provides a step-by-step guide to the analysis of cross-border cooperation that practitioners may follow to assess *their* CBC. The following graphics summarises the conceptual flow of the section.



Finally, Section 1 ends by illustrating the CBC instances provided by respondents in the different cooperation areas. For each area, specific cooperation sectors are highlighted.

Section 2 of the Manual provides operational tools to identify obstacles and the appropriate institutional level to address them. In order to identify obstacles causes and effects, the manual first provides the readers with a set of specific guiding questions to identify obstacles in different operational areas, then it provides an assessment tool to investigate the relevance of different factors in determining obstacles' persistence.

Finally, Section 2 ends with an illustration of the data provided by respondents which are organised into 5 separate parts and an account of the obstacles identified in different CBC areas, the reasons identified for their persistence and the appropriate institutional level for their removal.

Section 3 gives an account of CBC instances that respondents suggested as positive examples of obstacle removal. It is organised into five parts which focus on good cooperation practices pertaining to different CBC areas, factors enhancing CBC success, best practices in identifying and removing obstacles, best practices in identifying the cross-border territory as a spatial planning unit and, finally, best practices in developing cross-border cooperation. Each instance is categorised into the same sectors used to identify the obstacles in order to facilitate the reader in matching obstacles with possible solutions.

SECTION 1

ASSESSING CROSS-BORDER COOPERATION

UNDERSTANDING CBC

Setting the basis for cooperation

CBC is not intended to convey additional powers to border communities or authorities but CBC arrangements make it possible to improve their capacity to carry out their tasks more effectively.

CBC is a cooperative process recognised as indispensable to reach given objectives more effectively.

This implies that cooperation is sought when it is fully acknowledged that the solution to a given issue cannot be found in responses elaborated independently by stakeholders on either side of the border.

Successful CBC is based on concrete issues and has concrete goals. A successful cooperative approach should clearly demonstrate to be *effective* (in achieving the set goal), *efficient* (in the use of resources as compared to the level otherwise needed) and *coherent* with the overall CBC strategy of the border area (not producing any undesirable externality - eg. reinforcing national administrative borders with neighbouring LAs).

A CBC strategy must originate on the straight forward understanding of the possibilities for cooperation with border counterparts, based on the analysis of advantages and risks of launching CBC actions.

Guiding Qs 1 - Setting up CBC

1. IDENTIFY NEEDS AND OPPORTUNITIES FOR CBC

- Is there a clear border effect?
- What are the most evident shortcomings implied by it?
- Is CBC the logical solution for solving them?

2. IDENTIFY POTENTIAL PARTNERS AND POSSIBLE AREAS OF COOPERATION

- Are there border counterparts dissatisfied with the status quo?
- Is there a common feeling that joining forces is the best solution?
- Are there stakeholders, on either side of the border, with an expertise on CBC?
- Will respective national authorities facilitate cooperation at the local level?

3. ANALYSE THE CROSS-BORDER SOCIO-ECONOMIC CONTEXT

- Is the cross-border area clearly defined in geographic and socio-deographic terms?
- Is the size appropriate to achieve effectively the objectives?
- What are the financial resources available?
- What would be the economic impact(s) on the local area?

4. ANALYSE THE LEGAL FRAMEWORK

- What is the applicable (domestic and international) legal framework?
- What are the advantages and disadvantages of each viable legal option?
- Are there agencies (national / international) that could support?

The strong **political commitment** of local elected representatives in all participating communities is a key variable when setting up successful CBC.

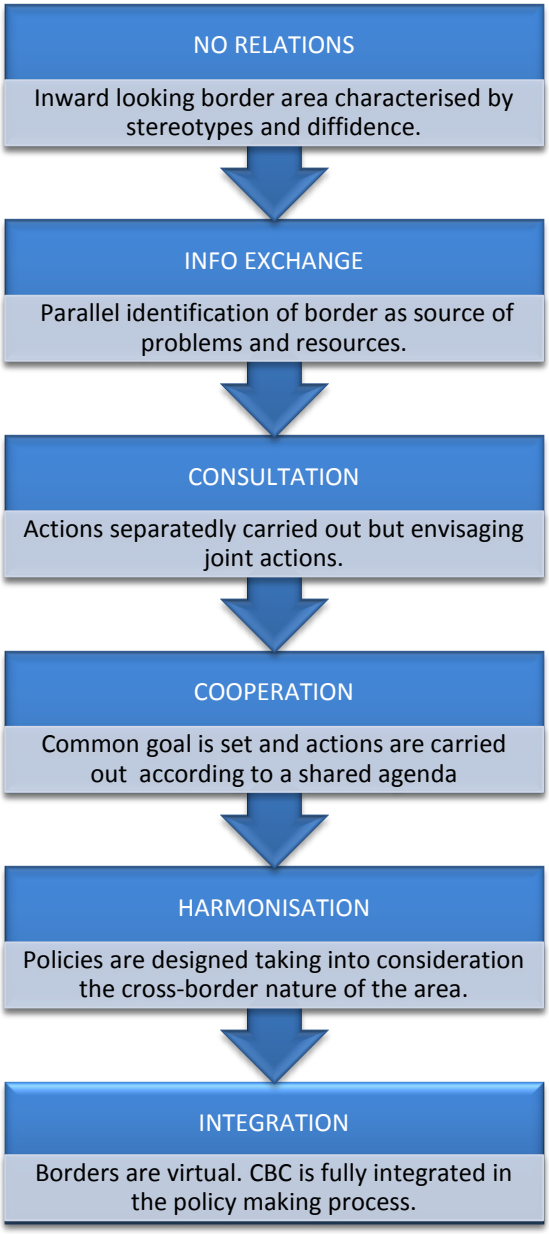
Political objectives must be substantiated with practical projects and sound management practices. It is essential to establish a **joint technical team** supporting the start-up of the CBC process also facilitating dialogue between politicians and civil society actors. The interplay of different stakeholders and technical expertise improves the robustness of CBC in a **long-term strategic perspective**.

Reference to a CBC long-term strategy enables the internal coherence of future CBC actions.

Setting the pace for cooperation

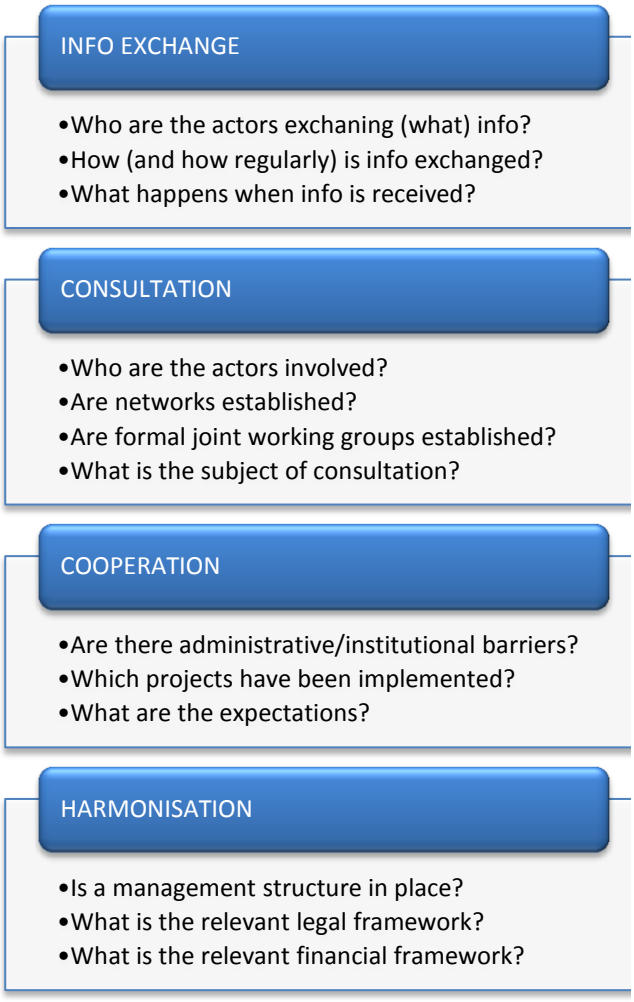
CBC does not occur in a vacuum but it is about the sedimentation of relations, practices and experiences. Understanding the pace of cooperation is essential to assess the possible degree of institutionalisation CBC can take and the feasibility of the objectives set.

Figure 4 - The phases of CBC



CBC should be planned as a long-term process based on concrete results and spanning a variety of practical actions.

Guiding Qs 2 - Understanding the pace of CBC



CBC is about overcoming border problems which are cross-sectoral in causes and effects.

To set appropriate goals it is necessary to identify the problem.

To identify a problem is necessary to define it, identify its causes and effects.

Setting the goals for cooperation

Identifying a cross-border problem

Regardless to its stage, CBC is about overcoming border problems which are often cross-sectoral and entail causes or repercussions at the social, economic, environmental, institutional and administrative levels.

A border problem can be both:

1. a concrete issue that needs to be addressed with a cross-border cooperative approach (eg. Poor cross-border public transport system for daily commuters); or
2. the absence of cooperation *per se* in given areas implying an inefficient use (unused or underused) of resources (eg. The lack of proper infrastructures hinders the creation of a cross-border labour market).

Setting appropriate goals requires first and foremost working toward the identification of the core problem/s. It is therefore necessary to:

Guiding Qs 3 - Identifying a Cross-border problem

1. CLEARLY DEFINE THE CORE PROBLEM

- What is the problem that requires immediate action?
- Why is it a priority? To whom?
- Is something being done already? By whom? How?
- Is it necessary to deploy cross-border actions?

2. IDENTIFY ITS CAUSES

- Why did this problem arise now?
- Where does it come from?
- What is causing it?
- Is it linked to social/economic/environmental/institutional/administrative characteristics of the border area?
- Is it linked to external social/economic/environmental/institutional/administrative characteristics of the border area?

3. IDENTIFY ITS EFFECTS

- Who is most affected? How? How much?
- What would happen if no solution is found?
- What implication would there be on the social/economic/environmental/institutional/administrative levels?

Identifying appropriate goals

Setting appropriate goals is the necessary step to turn border problems into cooperation opportunities.

Since CBC problems mostly entail cross-sectoral factors, goals must be selected with reference to both the identified core problem and the envisaged results given its (previously-identified) effects.
To clearly identify goals means to be able to assess future cooperation opportunities, their desired impact and to monitor their progress.

Using management key performance indicators such as SMART criteria may be useful to clearly set out CBC goals.

Guiding Qs 4 - Using SMART indicators to set CBC goals (Meyer, 2003)

Once the level of CBC is recognised and the core problems identified, appropriate goals should be selected for each phase.

The following graphics summarises a (non-exhaustive) list of guiding questions useful to initiate cooperation actions proportionate to the level of relations and experience of the context at hand.

Guiding Qs 5 - The levels of cooperation and possible objectives

INFO EXCHANGE

- Which are the areas in which the two communities are more indeterdependent?
- What are the core open conflicts between the two communities?
- Are there specific groups actively opposing cooperation? on which grounds?
- What are the key opportunities missed out by not cooperating?

CONSULTATION

- Who are my boder counterparts?
- What are their compentecies? Do they develop in parallel?
- How do they approach the problems my organisation deals with?
- How can we meet? Is there a need for some kind of facilitation (i.e. mediator, translator, secotr expert, ...)?
- What are the common areas of interest?

COOPERATION

- Are all partners satisfied with what is being done?
- Is there a smooth communication and partnership culture?
- Is there the necessary experience, expertise and commitment to manage the CBC projects?
- Do different stakeholders (staff, businesses, service users...) take part in the CBC process?

HARMONISATION

- Is there a smooth communication and partnership culture both at the local level and with competent central authorities?
- Are there appropriate CBC structures and management meetings to ensure coordination and cooperation between LAs concerned?
- Are the objectives, targets and performance indicators clear and straightforward?
- Are transparent auditing and reporting mechanism in place for participating LAs and stakeholders?

Identifying border opportunities

Whether elaborated on geographical, economic, social, institutional or cultural grounds, the goals of CBC pertain to at least one of the following three macro-areas (Council of Europe (COE), 2012, p. 11):

1. **Widening cultural perspectives**.

Promoting mutual knowledge and trust among cross-border counterparts is essential for effective CBC. Activities striving to this goal have a strong symbolic value with significant spill-over effects on other macro-areas of cooperation.

Promoting mutual knowledge and trust increases the willingness and capacity of stakeholders to elaborate a common vision of the cross-border area. Once the goal to improve citizens' quality of life is shared on both sides of the border, it is possible to start identifying viable cross-border resources and explore possible synergies.

2. **Developing economies of scale to provide better services**.

Developing joint services and re-distributing costs represent a concrete reason to set up CBC arrangements. Such activities heavily depend on the available legal and financial frameworks. Nonetheless, working on it, partners can identify available resources and develop the viable strategies to exploit them in a cross-border fashion. This enables economies of scale which lead to a more efficient use of resources and better services. Coupled with a more realistic definition of the catchment area of services, the established economies of scale free or originate resources which can be used for the joint management of cross-border infrastructures. Many infrastructure networks, such as river banks, dikes and energy plants develop across borders in the territories of bordering local communities and authorities. This may be because of the physical environment (e.g. river head in one state and its mouth in another) or it may be a shared heritage of a former administrative system (e.g. two countries separated only recently). Their joint management may not just be advisable but simply indispensable.

Since CBC problems mostly entail cross-sectoral factors, goals must be selected with reference to both the identified core problem and the envisaged results. This practice strengthens the coherence of CBC actions set into play and enacts a virtuous process encompassing CBC phases and goals' macro-areas.

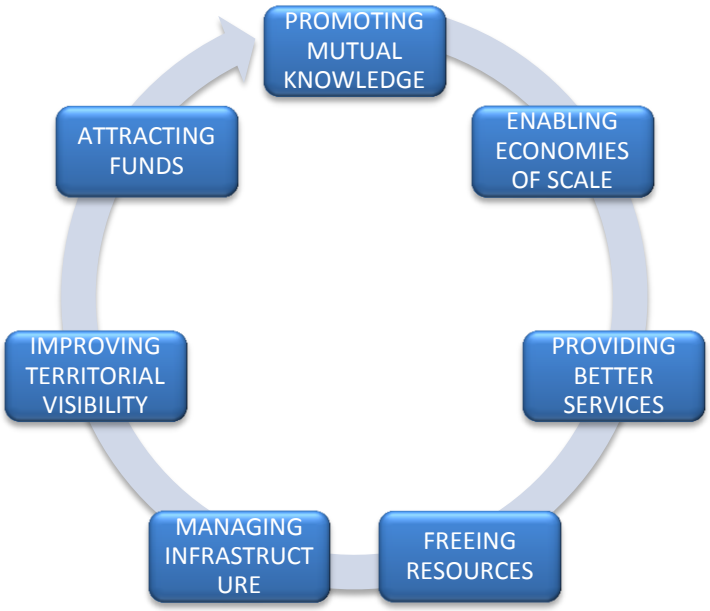
The cross-border provision of services, ultimately, will imply a reduction of costs, the improvement of access to services which may otherwise be limited to the citizens residing on just one side of the border, and the setting of conditions to access. Formalising the use of services by citizens who anyhow would use them is essential to ensure horizontal sharing (i.e. internalising) of costs between all parties concerned. In fact, local authorities on either side of a border may be responsible for services which are indiscriminately used by people from both areas.

3. **Promoting the sustainable socio-economic development of the border area.**

The development of the area in a joint cross-border fashion enhances its territorial visibility and opens to new territorial marketing opportunities which may lead to an increased attractiveness of external funds.

Promoting a border area by CBC actions not only **ensures greater visibility** but is an added value for territories which would otherwise suffer disproportionately from

Figure 5 - Self-reinforcing, coherent CBC actions



the peripheral positioning implied by the presence of a border.
Joint promotion also implies creating economies of scale in the cultural and territorial marketing sectors. Moreover, it fosters a sense of **common belonging** among citizens.

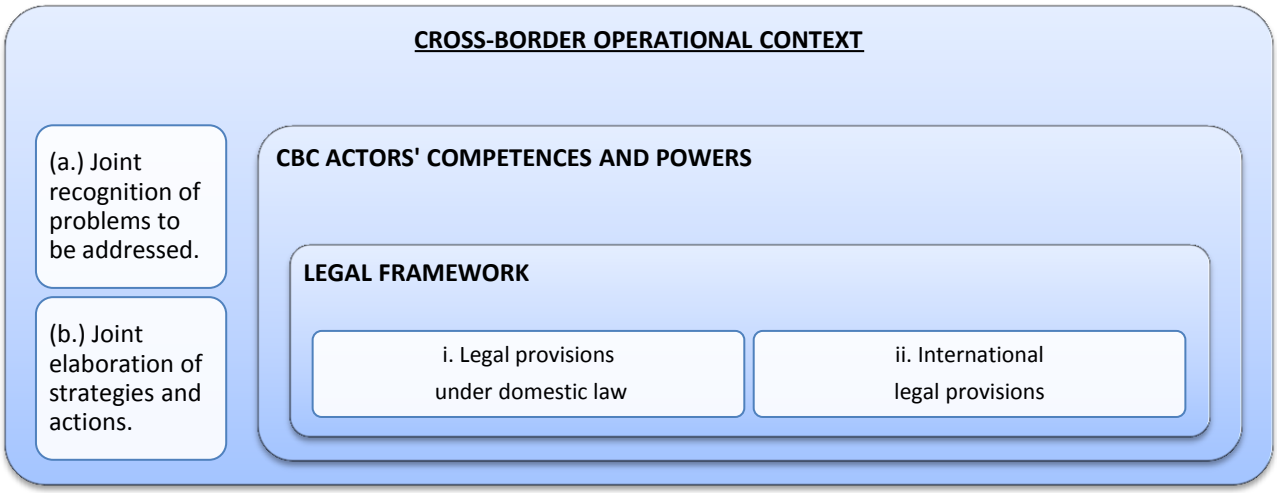
CBC ACTORS, COMPETENCIES AND LEGAL PROVISIONS

The previous paragraph highlighted that successful CBC arrangements originate when there are both a joint understanding of the cross-border area (i.e. socio-economic characteristics, needs, etc.); and clear and concrete objectives for, and vision of, the cross-border area (i.e. long term socio-economic development strategy).

CBC activities need to be elaborated and implemented jointly by the relevant local partners on both sides of the border.

As depicted in the graphic below, however, CBC arrangements also need to take into consideration both the competences and powers of CBC partners and the possibilities offered by the existing legal framework, both at the national and international levels.

Figure 6- Factors determining the possibilities of CBC



Identifying actors

Local Authorities

Local authorities are key players in cooperative processes across borders. They are the closest institutional actor to border communities. Although no mayor is elected to perform cross-border cooperation, a positive attitude towards cross-border cooperation may lead to policies providing services more efficiently (cfr p. 13)

Often LAs want to be as autonomous as possible but their capacity to engage into cross-border relations is limited by domestic law.

Political differences between local authorities across borders may play a negative role but CBC is *per se* a consensus building process based on concrete goals.

LAs successfully undertaking CBC and achieving results (i.e. attracting funds and new investments) may be seen sceptically and ostracised by their national counterparts

There may be little expertise on CBC matters in LAs staff. Local staff may have become used to waiting for government instructions rather than use their own initiative to find appropriate solutions. Prioritising local needs and creativity are two essential features of CBC. Training activities and networking with LAs engaging in CBC in Europe should be sought.

Table 1 - List of (local) actors per country and CBC instance(s)

	LOCAL AUTHORITY	CBC INSTANCE(S)	REFERENCE
AUSTRIA			
BELGIUM FR			
BELGIUM GSC			
BULGARIA			
CROATIA	The Municipality of Delinice The Municipality of Viroitica The Municipality of Rijeka	The three local actors are involved in several CBC instances.	pp 55-122
CZECH REPUBLIC	The Municipality of Harrachov	Cooperation in the field of mobility and transport (eg. cycling tracks and roads between Harrachov and Sklarska Poremba-PL).	p. 122
DENMARK			
ESTONIA	Häädemeeste municipality Valga municipality	Cooperation in development of administrative framework in spatial planning with bordering Latvian municipality.	p. 173
FRANCE			
GERMANY	The Trinational Metropolitan Upper Rhine Region.	Network of cities	pp. 200-217
ICELAND			
LUXEMBURG			
MALTA			
MONACO			
NETHERLANDS	Several local authorities along the Dutch-German border.	Since the 1950s, local authorities were actively involved in cross-border cooperation. In 1958, EUREGIO was the first example of institutional cross-border cooperation at the local level between Germany and the Netherlands.	p. 239
PORTUGAL	Several municipalities(eg. the Municipality of Vigo)	Cooperation in several CBC instances, such as transport and education.	p. 256
RUSSIAN FED			
SAN MARINO			
SLOVAKIA			
SLOVENIA			
SPAIN			
SWEDEN	The Municipality of Haparanda.	Cooperation for several CBC instances between the Municipality of Haparanda and the Finnish Municipality of Tornio.	pp. 324-331
SWITZERLAND			
UKRAINE			

State/Regional Actors

The interest and support to CBC by State/regional actors varies greatly across Europe.

The synergies developed by local and state actors play a key role favouring the necessary exchange of information for the elaboration of joint strategies facilitating the development of a cross-border context.

State/regional actors are responsible for creating the necessary legal framework that enable LAs participation in CBC to various extents; providing financial support; responding to training needs; advocating for the local context at inter-governmental meetings and negotiations...

Table 2 - List of (state/regional) actors per country and CBC instance(s)

	STATE/REGIONAL ACTOR	CBC INSTANCE(S)	REFERENCE
AUSTRIA	Land Vorarlberg Amt Der Vorarlberger Landesregierung	Austrian regional administrations are involved in transfrontier co¬operation.	p. 3
BELGIUM FR	Flemish Agency for Home Affairs Benelux Union: Belgium, its Regions and Communities, the Netherlands and Luxemburg. EGTC Eurométropole Lille-Kortrijk-Tournai: For Belgium: the Federal State, Flemish Community, Flemish Region, French-Speaking Community, Walloon Region, as well as Flemish and Walloon provinces and intermunicipal associations. EGTC West-Vlaanderen-Dunkirk-Cote d'Opâle: For Belgium: the Federal State, Flemish Community, Flemish Region, as well as a Flemish province and Flemish intermunicipal associations.	Flanders, as a Belgian Region, is a partner in the Benelux Union, which deals with Transfrontier and Territorial Cooperation, and is actively involved in the Steering Committee for Transfrontier and Territorial Cooperation. Flanders is also partner in two EGTC's, namely EGTC Eurométropole Lille-Kortrijk-Tournai and EGTC West-Vlaanderen-Dunkirk-Cote d'Opâle.	pp. 9-18
BELGIUM GSC	Deutschsprachige Gemeinschaft (BE) La Région wallonne (BE) la Communauté française (BE) La Communauté germanophone (BE)	The Belgian German speaking Community is involved in all the CBC instances indicated in the questionnaire	pp. 18-47
BULGARIA			
CROATIA	Physical Planning and Construction Directorate for Atmosphere and Waste Management National Protection and Rescue Directorate International Cooperation Department Šibenik-Knin County Osjecko-Baranjska County Zagorje Development Agency Ministry of Science, Education and Sports Splitsko-dalmatinska County	Croatia is involved in all of the CBC instances indicated in the questionnaire, under specific bilateral agreements or EU programmes such as IPA Adriatic.	pp. 55-122
CZECH REPUBLIC	Ministry for regional development Ministry of Culture	Czech Republic is involved in several CBC instances indicated in the questionnaire.	pp. 122-127
DENMARK	Several Ministries The Central Region Denmark (Region Midtjylland) The Region of Sealand (Region Sjælland)	Denmark is involved in all of the CBC instances indicated by the questionnaire.	pp 127-159

ESTONIA	**Estonian Ministry of the Interior Euregio Pskov-Livonia, Section Estonia Pärnu County Government**	**Estonia is involved in several CBC instances.**	**pp. 159-183**
FRANCE	French Ministry of Interior Several EGTCs Transfrontier Operational Mission (MOT-MISSION OPERATIONNELLE TRANSFRONTALIERE)	France is involved in all of the CBC instances indicated by the questionnaire, either by bilateral agreements, EU programmes or through the MOT	pp. 183-200 Pp. 369-390
GERMANY	The Land Government of Rhineland-Palatinate The German-Swiss Conference of the Upper Rhine The Greater Region	Germany is involved in all of the CBC instances indicated in the questionnaire.	pp. 200-217
ICELAND			
LUXEMBURG	Ministère de l'Intérieur et à la Grande Région.	The Great Region is involved in all of the CBC instances indicated in the questionnaire, under several bilateral agreements or EU programmes such as INTERREG.	pp. 218-235
MALTA			
MONACO	The Department for Cultural Affairs	Monaco is involved in CBC activities in the cultural and recreational area.	pp. 236-239
NETHERLANDS	Ministry of the Interior and Kingdom relations Task Force Cross Border Cooperation in the Netherlands	The Netherlands involved in all of the CBC instances indicated in the questionnaire.	pp. 239-252
PORTUGAL	Coordination and Regional Development Commissions (CCDR, following the Portuguese designation – Comissões de Coordenação e Desenvolvimento Regional). Portuguese Administrator of GNP-EGTC – Euroregion Galicia Norte of Portugal-European Grouping on Territorial Cooperation. Portuguese administrator CCDR Alentejo Portuguese administrator CCDR Algarve	Portugal is involved in all of the CBC instances indicated in the questionnaire.	pp. 252-267
RUSSIAN FED	Relevant public authorities of the Russian Federation	The Russian Federation public authorities cooperate with the relevant public authorities of bordering states in the fields of regional development policies; promotion of interregional cooperation; activation of business contacts and developing contacts with neighbouring LAs by signing agreements.	p.1 (RUS)[2]
SAN MARINO			
SLOVAKIA	Severl regional actors such as: County Office Trnava, Conty Office Kosice, County Office Banska, County Office Nitra	Slovakia is involved il several CBC instances under bilateral agreements or EU programmes.	pp. 268-286
SLOVENIA	Ministry of the Environment and Spatial Planning:	Slovenia is involved in several CBC instances (under bilateral agreements or EU programmes), such as spatial planning	pp 286-307
SPAIN	Ministry of Territorial Policy and Public Administration Sub-Directorate General for Cooperation Relations with the Autonomous Communities	Spain is involved in several CBC instances under bilateral agreements or EU programmes. The Sub-Directorate General for Cooperation Relations with the Autonomous Communities is responsible for handling cross-border cooperation activities carried out by regional and local authorities.	pp 307-324 pp 307-324
SWEDEN	The Nordic Council of Ministers The Öresund Committee	Sweden is involved in several CBC instances under bilateral agreements, the Nordic countries framework of cooperation, the Baltic countries cooperation or EU programmes	pp 324-331

[2] References for the CBC instances recorded by the Russian Federation refer to the "Russian Federation Questionnaire" which was not originally included in the COE 2011 questionnaire collection. In order to provide through reference to the original data source the number of pages is followed by (RUS).

SWITZERLAND	Conférence franco-germano-suisse du Rhin supérieur Région métropolitaine trinationale du Rhin supérieur Eurodistrict trinational de Bâle (ETB)	Switzerland is involved in several CBC instances under bilateral agreements or EU programmes.	pp. 331-361
UKRAINE	Ministry of Regional Development of Ukraine Ministry of Economics of Ukraine State Foundation for Local Self-Government in Ukraine, State Regional Administrations Euroregions in Ukraine	Ukraine is involved in several CBC instances under bilateral agreements with Poland or EU programmes.	pp.361-369

Civil Society

The majority of citizens are not familiar with CBC. On the other hand, border areas can often count on civil society organisations (i.e. social, cultural, economic actors) promoting CBC actions and engaging in CBC projects.

They successfully act as aggregators and facilitate participation to CBC. They work as pioneers towards the removal of long standing (cultural) obstacles and set up cooperative networks expanding beyond regional and national borders.

Since CBC is not about conferring additional powers to border communities or authorities but is a more efficient tool to exercise their powers, it is necessary to ask what are the powers and competencies of LAs under national law.

The establishment of new local bodies is often perceived negatively by citizens. CBC objectives may be difficult to grasp, cultural and ideological barrier may still be very relevant, and fear of new local taxes may prevail.

Access to new and better services, however, is always perceived as positive. CBC actions need to be highly visible and transparent; benefits need to be explained and accountability standards clearly defined.

Identifying competencies

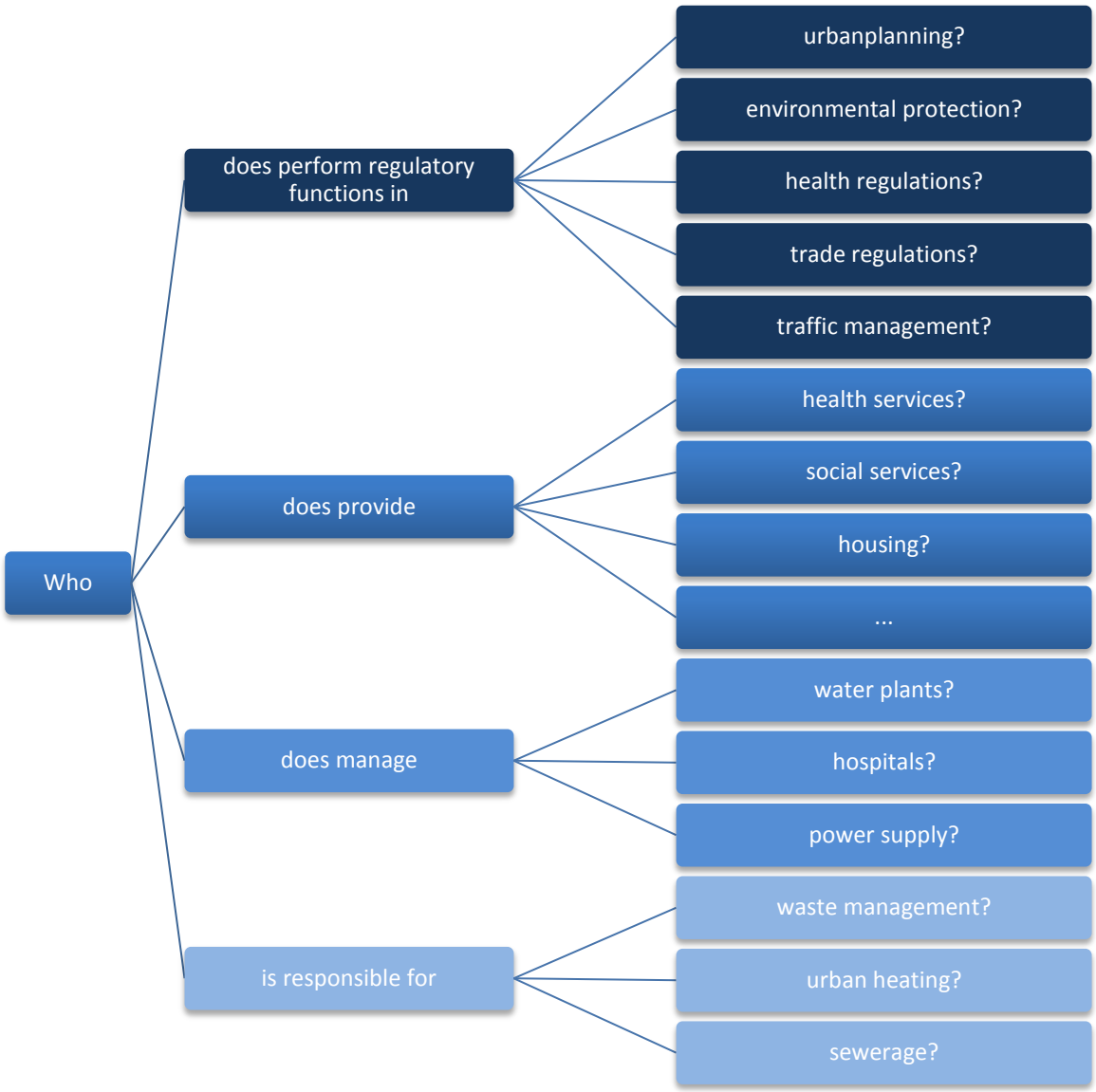
The strong willingness of partners involved is essential to institutionalise CBC into a (in-/formal) practice in policy making (i.e. long term plan to harmonise the cross-border area). In this perspective, CBC is consistently a tool for local communities and authorities to exercise the powers they already enjoy in a cross-border perspective despite institutional/administrative differences.

Coordinating policies and implementation strategies in areas of their competences is an opportunity for local partners but the competences and powers of actors involved greatly affect their capacities to implement CBC actions.

Domestic laws regulating CBC activity of local communities and authorities vary greatly from one country to another. It is important to know "who is who" and "who can do what" according to the relevant domestic and international legal framework.

The following graphic provides some guiding questions useful to consider when looking at potential partners to initiate CBC projects and actions.

Guiding Qs 6 - Identifying powers and competencies across borders



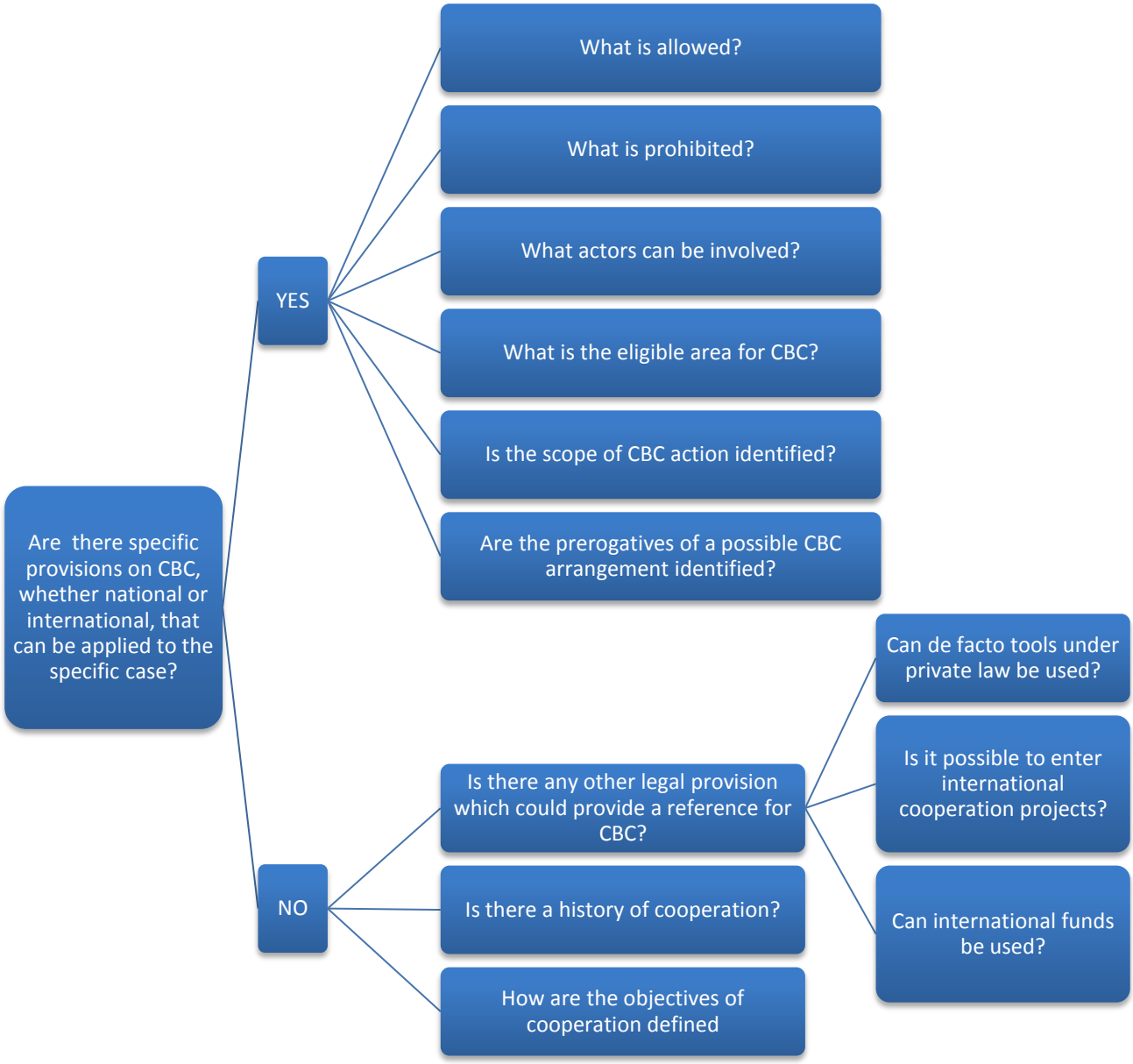
Identifying the legal framework

Once the relevant actors and their competencies are identified it is necessary to consider the legal framework within which cross-border cooperation may develop.

Specific provisions on CBC are issued by competent regional or central authorities. They may relate to bi-/multi-lateral agreements.

They should be closely analysed as they will rule over most aspects determining the structuring, establishment and scope of the CBC.

Guiding Qs 7 - Identifying the legal framework



As a general rule, it should be recalled that CBC is a form of international relations. Unless otherwise specified, the State is the sole actor which can undertake such relations.

Therefore, ***it is an absolute requirement to have clear and legally correct definitions of the CBC object and of the CBC body's competences in order to avoid disputes and legal challenges which could jeopardise the whole CBC process.***

CBC bodies do not increase their members' powers or competences; CBC is a tool for LAs to exercise existing powers and competences better within a cross-border perspective.

(Council of Europe (COE), 2012, p. 72-75)

Identifying appropriate CBC structures

Experience shows that many different ways are used to initiate, conceive and implement CBC.

Initially, when CBC is commenced as an exchange of information and developed into consultation and policy co-ordination, LAs can use cooperation tools such as memoranda of understanding (e.g. Annexes to the Madrid Outline Convention). In a more advanced phase, the development of CBC relies on the formulation of operational cross-border strategies and implementation of specific projects. At this point it is necessary that existing platforms of consultation and technical/political steering bodies are consolidated in more robust and defined cross-border structures.

A variety of CBC structures can be set: simple joint meetings of existing structures in each partner organisation; "joint committees" composed of an equal number of representatives of the partners; actual management entities, separated from the participating institutions; specially created entities, with or without legal personality, acting in their own name or on behalf of institutions that promote CBC.

As CBC activities develop, extending to a growing number of issues and demonstrating CBC potential in the development of the cross-border area, local authorities seek to formalise further CBC arrangements. This often implies establishing joint CBC bodies.

The choice of the legal form of CBC is a strategic decision. It expresses not only the political compromise that allowed todevelop the CBC process but also the lines of development of the CBC itself. The legal form for running CBC is the institutionalisation of CBC and it determines its efficiency and performance.

Informal cooperation or even a more formal cooperation agreement will leave more freedom to CBC partners to decide on the CBC structure, organisation and operational procedures. CBC bodies with legal personality - and especially CBC bodies based on public law – are limited to some extent as to how the CBC body itself may be organised (i.e. its organs and functions), membership rules, budget procedures, etc.

These bodies, whether informal or with a legal personality under public or private law, can be created under the provisions of national or international law.

Informal CBC arrangements

CBC relations are often informal. They do not entail any binding legal decision and therefore they do not need a precise legal basis. They rely on political commitment and partnership working.

CBC agreement

Cross-border cooperation relations may develop into cross-border cooperation agreements. They represent the simplest and less formalised instrument for cross-border cooperation. They may evolve as a result of a specific issue or they may be framework agreements where the willingness to cooperate with bordering counterparts is stated. They may be drawn up under national law (i.e. based on both private and public law) or international inter-State agreements but the provisions of the agreement are implemented under the sole responsibility of each signatory.

CBC bodies governed by private law

These settings are often not-for-profit structures governed by the (private) law of the country where headquarters are located. Two main types of such CBC bodies exist: associations (or foundations) acting as “operators” or “project managers” on behalf of local communities and authorities in cross-border projects

and co-operation bodies for political consultation made up of local communities or authorities, or other local or regional partners.

Members can be legal entities or individuals depending on the chosen legal basis. They are easy to set up but the tasks they can perform are limited to promotion, lobbying and studies or (in the case of association) the management of cross-border projects. These CBC bodies maintain a legal independence from their members but cannot act as deputies for member institutions in the exercise of the members' own competences.

CBC bodies governed by public law

Local communities or authorities may establish CBC bodies governed by public law when bi- or multi-lateral agreements between the States they belong to allow for it. According to their Statutes, such bodies may perform all tasks of interest to their members including cross-border governance, the cross-border provision of public services, the cross-border management of public facilities, etc. They are governed by the law of the country where their headquarters are officially registered.

A CBC structure should be set so to operate directly for the achievement of its objectives whilst its members supervise its work and (partially) fund its activities.

The more complex the tasks - compared to those carried out directly by its members - the more complex the legal basis of the CBC body and the level of clearance from competent regional and central authorities.

Moreover, Regulation n.1082/2006 of the European Parliament and Council (5/07/2006) on the establishment of a European Grouping of Territorial Cooperation (EGTC) (European Parliament and of the Council, 2006), offers to EU local communities and authorities a Community legal instrument representing the legal basis for the creation of CBC entities with a legal personality.

Finally, Protocol No. 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning Euroregional Co-operation Groupings (ECGs) provides the legal status and operational form of the constituent ECGs. These are CBC bodies with or without legal personality (in this case the protocol connects the legal personality to the law applicable in the state where the ECG has its headquarters). ECGs may be composed of territorial communities or authorities in Member States if one or more of their own communities or local authorities are already members. Other agencies with different legal personality may be part of the ECG provided that they do not have industrial or commercial purposes, and that their activity is financed mostly by the State, by a territorial community or authority or similar entity, or are subject to the direct management and/or control of these entities, or that half the members of their administrative, managerial or supervisory functions are appointed by the state or other local governments.

The following diagram represents a logical step-by-step process to follow when choosing an appropriate legal form for a CBC body.

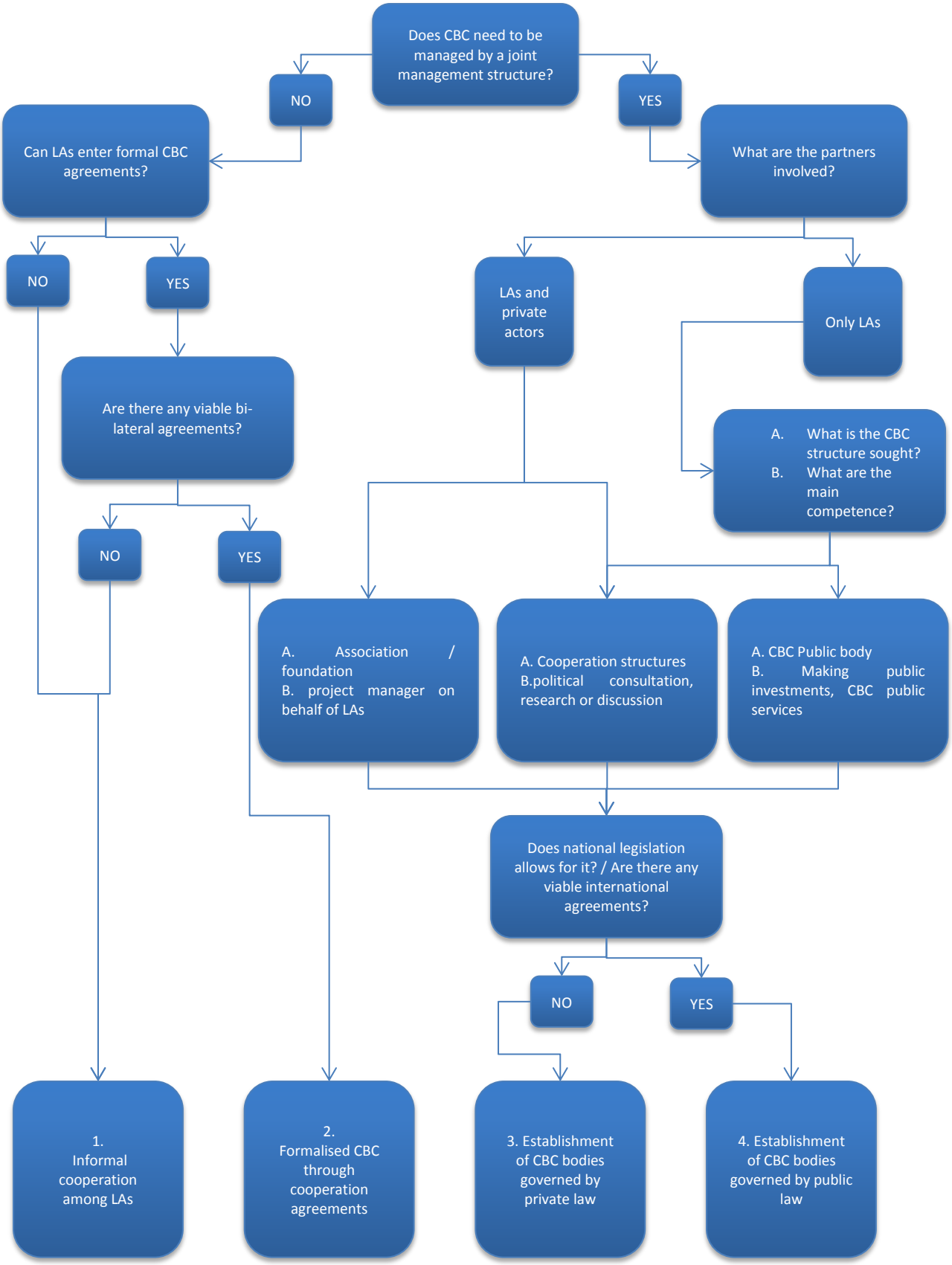


Figure 7 - A logical step by step process

AREAS FOR CBC

CBC activities vary greatly throughout Europe. Having identified the state of the art of CBC in a border area, based on the steps described above, it is possible now to look at CBC instances carried out in other border areas. Knowing, at *this stage*, *what is been done*, *by who* and *how* and towards which *goal*, is it possible not only to learn what other practitioners are doing, but also to identify which are the elements of CBC instances to be selected, analysed and eventually to be transferred to the context at hand.

Based on the data collected trough the questionnaires prepared and distributed by the COE *Committee of experts on local and regional government institutions and cooperation* in preparation of the *Conference on removing obstacles and promoting good practices on cross-border cooperation* (Council of Europe (COE), 2011), the following areas for CBC were identified:

1. Mobility and (public) transport
2. Health care
3. Education and Training
4. Labour market
5. Crisis and Disaster/Emergency Management
6. Crime prevention and Criminal Investigation
7. Environment
8. Financing

Each area is unpacked in its functional fields of activity and, for each of them, examples are concisely provided (whilst reference is made to the COE on-line document for a fuller description of the CBC instance).

A summary table shows, for each area and its functional fields, the frequency of reported instances per responding country.

Each table is introduced by a non-exhaustive list of guiding questions serving as examples of what ought to be though when looking at the examples of CBC

1. Mobility and transport

Guiding Qs 8 - Identifying CBC areas (Mobility and transport)

Cross-border public transport

- Is there a need for a joint public transport system for the cross-border area?
- Would a joint management system imply a more rational and cost effective organisation of public transport?
- Are there private economic actors interested in developing a cross-border transport network?

Cross-border transport and border crossing infrastructures

- Are the main border crossings and connecting transport nodes (e.g. extra-urban bus/train stations, airports) jointly identified ?
- Are they interconnected?
- Is there a need for joint management of border-crossing infrastructures?
- Are major transport infrastructures in the cross-border area subject to cross-border discussions?
- ...

Institutional, legal and financial frameworks

- Are there mechanisms in place to discuss and plan harmonised/coordinated road construction (so to avoid interruption at border crossing)?
- Are there viable fora for discussion and elaboration on shared policy goals and priorities in the development of transport network?
- Are traffic security regulations harmonised?
- Would who pay for cross-border public transport?
- Is it possible to establish an ad-hoc management body?
- Is it possible to harmonise/coordinate maintenance work?
- Is it possible to seek EU funds on a project-base?

Table 3 - Frequency of CBC instances in the Mobility and Transport area

	CROSS-BORDER TRANSPORT	CROSS-BORDER TRANSPORT INFRASTRUCTURE	BORDER-CROSSING INFRASTRUCTURES	INSTITUTIONAL FRAMEWORKS	LEGAL FRAMEWORKS	FINANCIAL FRAMEWORKS
AUSTRIA	2					
BELGIUM FR	2	1			1	
BELGIUM GSC	1	2				
BULGARIA						
CROATIA	3	2				
CZECH REPUBLIC		2				
DENMARK	1	1	2	2	1	
ESTONIA	4			1		
FRANCE	7			2	1	
GERMANY	2					
ICELAND						
LUXEMBURG	1					

MALTA						
MONACO						
NETHERLANDS	2	1				
PORTUGAL	1	2	2			
RUSSIAN FED	4				2	1
SAN MARINO						
SLOVAKIA						
SLOVENIA					1	
SPAIN					2	
SWEDEN	1	2				
SWITZERLAND	2	2				
UKRAINE	2					
TOT	35	15	4	5	8	1

1.1 Cross-border public transport

Public transport eg. 1 [A-CH]
Bus line connecting the cities of Heerbrugg, Lustenau and Dornbirn.
[p. 4]

Public transport eg. 2 [A]
Cross-border ticket: the area of Costance Lake benefits of an integrated cross-border ticketing system.
[p. 4]

Public transport eg. 3 [B-D-NL]
Public Transport Platform Euregio Meuse-Rhine: the area benefits from an integrated ticketing system (Daypass) that involves the local authorities/municipalities and provinces (Flemish Region, Walloon Region, Flemish, Walloon and Dutch), the Belgian and Dutch Railways and Belgian, Dutch and German bus companies. [p. 10]

Public transport eg. 4 [B-F-NL]
Public Transport: the Platform Flanders-Nord-Pas de Calais.
[p. 10]

Public transport eg. 5 [B-NL-D]
Euroregional public transport plan: integrated management plan for public transport in the Euregio Meuse-Rhine funded under INTERREG IIIA OPNV-Mobility Euregio and follow-up OPNV-Sofortmassnahmen. The plan is built on the synergy of planning and research, infrastructure building and (social) marketing.
[p. 20]

Public transport eg. 6 [HU-SLO]
Cross-border bus line in the Euroregion Mura-Drava.
[p. 72]

Public transport eg. 7 [HR-HU]
Direct railway and bus lines connecting Croatia with Hungary.
[p. 72]

Public transport eg. 8 [HR-HU]
Joint future planning: Virovitica is planning to restore the railway line Virovitica-Barcs for freight traffic through a joint cross-border project.
[p. 113]

Public transport eg. 9 [DK-D]

Public transport eg. 10 [EE-LV]
Bus connection between the cities of Võru and Pechor in the Euregio Pskov-Livonia.
[p. 165]

Public transport eg. 11 [EE-LV]
Railway connection between the cities of Pskov and Tartu. The lines are used only for the freight trains (Euregio Pskov-Livonia).
[p. 165]