

European Commission
Directorate General for Energy and Transport
Unit B2 – Trans-European Network policies
1049 Brussels
Belgium

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TEN-T and external dimension
High Level Group II Loyola de Palacio report

Dear Madam,
dear Sir,

The Association of European Border Regions has dealt with trans-European Networks for 35 years already, as border and cross-border regions with their border crossing points are particularly affected. As regards the Neighbourhood and Partnership Programme our President Mr Lambert van Nistelrooij is co-rapporteur in the European Parliament, Committee on Regional Development.

We have extensively commented on the White Paper of the EU "European transport policy for 2010: time to decide" and elaborated „Recommendations for cross-border security and cooperation on the future external borders of the EU, taking account of the Schengen Treaty.”

We expressly welcome the „Networks for peace and development – Extension of the major trans-European transport axes to the neighbouring countries and regions“ presented in November 2005 as report from the „High Level Group“ chaired by Loyola de Palacio. The AEBR considers it as a useful concept for the development of cross-border infrastructure within the scope of the new European Neighbourhood Policy:

- The identified major transport axes connecting the EU with the neighbouring countries meet our approval. However, while developing motorways of the sea on the South-Western axis ports on the Atlantic in Southern France and in the neighbouring North-Western Spain should be considered.
- With respect to the horizontal measures we welcome in particular recommendations pointing the way to joint customs clearance facilities, notably in the road transport.
- As regards the railway traffic border controls should be pursued in the rolling train (e.g. from the last station before the border to the first one after the border crossing)

in order to reduce unnecessary delays. The controls should be always jointly pursued by the border personal of the neighbouring states.

Our proposals with regard to joint checkpoints and their advantages as well as to adequately jointly trained personal and facilitation of visa procedures through application of shared data reading devices are included in the attached document „Recommendations for cross-border security and cooperation on the future external borders of the EU, taking account of the Schengen Treaty.” These proposals have been considered in the EU-regulations on Schengen at the external borders and at the borders to accession countries. Particularly important is a joint staff training, streamlined procedures and an adequate language training.

As regards the maritime transport and the motorways of the sea solely double hull tankers should be permitted. Considering the past experiences with accidents of single hull tankers they can't be tolerated any longer. For many border regions the effects of these accidents were disastrous. Railway transport and its interoperability require the application of common technical standards. Locomotives that operate under several different voltages and consequently can cross the border without any difficulty are on the market and should be introduced.

With respect to the implementation and coordination please allow us the remark that border and cross-border regions are the ones that are directly affected by trans-European networks when difficulties occur in the customs clearance or plans / budgets for infrastructure on both sides of the border aren't synchronised.

The appointment of agencies and coordinators is considered as a substantial improvement. They should use the experiences and services of border and cross-border regions for following reasons:

- The axes for TEN-infrastructures always pass through border and cross-border regions. These axes should be taken into account and included in the respective plans of the regional / local level.
- The regional / local level can foster a timely planning and identification of such axes. Border and cross-border regions can facilitate the opening of a joint checkpoint as they talk out and overcome political and citizens' resistances more effectively etc. and develop simultaneously plans on both sides of the border.
- Solely the regional / local level of border and cross-border regions can create lobby groups on both sides of the border with local / regional / national politicians that commit themselves to the realisation of cross-border motorways / railway networks etc. through acting across all parties, through joint written questions in the parliaments on both sides of the border, through development of a cross-border environmental awareness for the accomplishment of trans-European networks etc.

- Border and cross-border regions are most affected by the lack of cross-border infrastructure as it often creates the material precondition for co-operation. Consequently, they have the strongest interest in solving problems and can contribute a lot to it in practice.
- Thanks to their lobbying border and cross-border regions substantially contribute to ensuring sufficient and synchronous allocation of national / regional co-financing on both sides of the border.

The AEBR would like to delegate a representative to the public consultation meeting taking place on 28 March 2006 in Brussels.

Kind regards,

Jens Gabbe
Secretary General

Association of European Border Regions

***Recommendations for cross-border security and cooperation on the future
external borders of the EU, taking account of the Schengen Treaty***

July 2003

1. Security issues at the EU's future external borders

Europe's citizens and politicians are unwilling to compromise on security at the EU's future external borders, just as they were when the EU's internal borders were opened up and are today with respect to cross-border cooperation at the Union's current external borders. However, at the same time the intention now - in spite of Schengen regulations - is to continue underpinning the cooperation between local communities and businesses that was set up and has now taken root at these borders after so many years of difficult relations. This can be done if we draw on the experience accumulated by border and cross-border regions in overcoming old internal European borders and cooperating at today's external borders.

2. Checkpoints

Checkpoints should, as a matter of principle, be accommodated in a **single, shared building**.

Justification: Not only does this save on costs (being cheaper than having, say, two separate national checkpoints), but more importantly enables **intensive cooperation** between border guards, the police and customs officials, for any problems arising can be tackled directly on both sides of the border and resolved by acting in unison. This is virtually impossible to achieve when checkpoints are several hundred metres apart.

Practical experience with these proposals:

Not that long ago, before the completion of the internal market, there were similar problems to be solved at the present EU's old internal borders. But we can also draw on the positive experiences at today's external EU borders:

- Anywhere where joint customs clearance facilities were set up or gradually came to exist over a period of many years, the results included:
 - o more efficiently coordinated duty rosters;
 - o less problematic exports and imports of goods (e.g. joint veterinary inspections and so on);
 - o practical solutions to passport and visa problems;
 - o the easing of minor frontier traffic;
 - o joint patrols;
 - o improved security, ensured by fewer staff and a leaner administration;
 - o enhanced language skills on both sides of the border, greater understanding for the different respective administrative systems and procedures, and faster clearance times;
 - o border guards, police officers and customs officials in neighbouring, non-EU countries trained to a European standard.

Main reasons for having separate customs clearance facilities in the past:

National Planning and funding and subsidies provided by various EU programmes (European regional funds, PHARE, TACIS, CARDS or MEDA, with each respective Directorate-General reaching its own decision on how to finance such institutions), mean that there are hardly any joint investment plans.

3. Acceleration of clearance procedures at check points with border crossing

Proposal: a separate lane should either be constructed or opened for the border inhabitants (to be identified e.g. by special badges on the cars).

4. Visa procedures at future external borders

The need for visas is not being called into question.

The main issue here is the development of **practical procedures** for issuing visas to local citizens and businesses **in border regions** along the EU's new external borders. These procedures must pave the way for the **flexible allocation of visas without any decrease in security or any constraints on necessary checks**. One major drawback for people living close to a border is the fact that visas are often issued in capitals or major cities (most of which are not located in border regions), for this prevents them from making essential trips at short notice.

Consequently, **local** solutions have to be found for the population and businesses in the border regions, taking account of the main rules governing visa issuance.

Proposals:

Especially for businesses and the local population in border regions on both sides of the EU's new external borders:

- Issuance of visas valid for one year or at least for several months for people who can demonstrate professional or private reasons necessitating regular border crossings;
- issuance of multiple visas (e.g. valid for 10 or 15 border crossings) in accordance with professional or private requirements (if appropriate with the visa's validity limited to a certain period (e.g. 6 or 12 months).
- issuance of one-day visas if need be.

Main prerequisites for these kinds of visa, if they are to be of real practical use:

- The establishment of offices issuing visas very close to the border or **at official border crossings**. There was an arrangement along these lines within the EU back in the 1970s and 1980s, and then in the 1990s at the EU's external borders. It should also be a practical proposition, provided that the staff in question are correspondingly trained and modern data readers are used.

Visa charges: Any such charges should remain **customer-friendly** and **moderate**, especially for businesses and the local populations in border areas, rather than being viewed primarily as a source of income for the State and therefore appearing prohibitive.

5. Entry possibilities for groups, schoolchildren, sports clubs, music ensembles and so forth

Proposal: Issuance of a group visa based on submitted, pre-checked lists, especially when entry and exit will take place within a specific, verifiable period (e.g. for a school trip, a sporting event, a musical happening in the neighbouring country, etc.) A **lump-sum price** would be charged for such a **list-based visa**.

Essential prerequisites: Visa issuance in places close to the border or directly **at customs clearance facilities**. This can be done without any problems provided that staff are properly trained and have modern data readers at their disposal.

6. Tourists

At the new external borders **extensive European and national funds are being pumped into promoting tourism**. However, this will only make sense if one **crucial element** of tourism in border areas is enabled, i.e. **visits to the neighbouring country**, without this entailing too much expense or administrative effort.

Proposals:

- Issuance of **tourist visas** for holidays or day trips. However, this only makes sense if visa applications do not have to be submitted in the respective capital city, and are instead issued locally, close to the border if need be (e.g. at border crossings). This can be done if the staff in question are properly trained and have modern data readers at their disposal.

7. Additional border crossings for people living on both sides of the border

In addition to the major, official border crossings, in the medium term cooperation between border guards, police and customs officials at regional and/or local level can be used as a basis for identifying **border crossings** that are suitable **for use by local residents and tourists without any loss of security** (hikers, cyclists, visits paid by neighbouring villages for musical events, and so forth).

Justification: Any border official can ascertain without much difficulty at such 'sensitive' border crossings, which are under surveillance anyway, whether persons approaching and attempting to cross the border are smugglers, refugees or harmless locals and tourists.

Locals or tourists should be able to cross the border at such points between sunrise and sunset, for example, provided that they are in possession of a valid passport (if need be with the requisite visa) and are not carrying any smuggled goods. So the aim is solely to ensure that these regularly monitored border crossings can be used by locals and tourists alike, without making them liable to persecution. In many instances these border crossings are either located along the shortest route between neighbouring communities and events or prove highly attractive to tourists.

Likewise, any existing minor roads that cross borders and are not yet open to traffic should be opened up for use by locals and tourists (cars, bicycles), and especially for shopping, paying visits to the neighbouring country, attending certain events, and so on. Border crossings of this kind are normally monitored anyway, so normal citizens and tourists (with passports and not smuggling anything) should be able to use them without any negative consequences.