

CALL FOR NEW B-SOLUTIONS' CASES

b-solutions 3.0: Solving Border Obstacles to Facilitate Cooperation



Funded by the European Union



Table of contents

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| 1. INTRODUCTION |
|---|
| 1.1 Background Information |
| 1.2 Objectives of <i>b-solutions</i> 3.0 |
| 1.3 Contracting authority4 |
| 2. THE CALL FOR NEW B-SOLUTIONS' CASES 44 |
| 2.1 Target of the call |
| 2.2 Benefits for the selected applicants6 |
| 2.3 Content of the application7 |
| 2.4 Thematic coverage for this call8 |
| 3. WHO CAN APPLY 9 |
| 4. HOW TO APPLY |
| 5. SELECTION AND AWARDING PROCESSES |
| 5.1 Eligibility check11 |
| 5.2 Quality assessment |
| 6. HOW TO GET ASSISTANCE |
| 7. KEY DATES |
| 8. MORE INFORMATION AVAILABLE |

1. INTRODUCTION

1.1 Background Information

b-solutions 3.0: Solving Border Obstacles to Facilitate Cooperation is an initiative to tackle legal and administrative obstacles hindering cross-border cooperation along EU borders. It is promoted by the European Commission's Directorate-General for Regional and Urban Policy (DG REGIO) and the Association of European Border Regions (AEBR) and it extends the *b-solutions* action implemented between 2017 and 2021 and the *b-solutions 2.0: Solving Cross-Border Obstacles* action implemented between 2022 and September 2024.

The project stems from the Communication <u>Boosting growth and cohesion in EU border</u> <u>regions</u> (COM(2017) 534 final), adopted by the European Commission on 20 September 2017, and builds on the report <u>EU Border Regions: Living labs of European integration</u> (COM(2021) 393 final) published on 14 July 2021.

The European Commission and AEBR initiate *b*-solutions 3.0 in an effort to support border regions, which are home to around 150 million Europeans, almost one third of the EU population.

Border regions are places with a high potential for the socio-economic wealth of Europe. However, legal and administrative obstacles hindering cross-border cooperation persist, affecting heavily life in border regions. *b-solutions*' objective is to find potential solutions to these legal and administrative obstacles.

1.2 Objectives of *b-solutions* **3.0**

The general objective of *b*-solutions 3.0 is to continue to identify and promote sustainable methods of resolving obstacles that hinder cross-border cooperation along EU internal land and maritime borders as well as EU-EFTA and EU-IPA borders.

To fulfil this goal, *b*-solutions 3.0's specific objectives aim at:

- Identifying 60 cases of cross-border obstacles of a legal and/or administrative nature to receive advice on possible solutions to solve a concrete hurdle to cross-border cooperation (objective 1);
- further elaborating and nudging towards implementation 20 cases of cross-border obstacles of a legal and/or administrative nature, selected among those which already received advice (objective 2);
- selecting 10 proposals through a dedicated call to develop specific solutions addressing concrete legal and administrative obstacles via pilot actions (objective 3);
- supporting the capacity building of the target group to implement solutions;
- promoting sustainable methods of resolving obstacles, raising awareness of needs of citizens and stakeholders in border regions, and showing evidence of the potential of the proposed regulation to facilitate cross-border solutions;
- consolidating knowledge on solutions and promoting the learning from best practices; and
- publishing content raising awareness of common obstacles hindering cross-border cooperation, and of potential solutions.

As a result, through *b*-solutions 3.0 the European Commission and AEBR expect to increase the understanding and awareness of legal/administrative obstacles to cross-border interactions and their potential solutions amongst key stakeholders at local, regional, national and EU level. Ultimately, *b*-solutions 3.0 supports exchanges of information among actors involved in cross-border cooperation.

The present call for new *b*-solutions' cases is launched in the context of objective 1 of the initiative. It is designed to identify 60 instances of obstacles of a legal and/or administrative nature which hinder cross-border cooperation with the aim to provide advice on possible solutions to solve concrete hurdles to cross-border cooperation.

1.3 Contracting authority

The contracting authority for this call for new *b*-solutions' cases is the Association of European Border Regions (AEBR) - Enscheder Strasse, 362, 48599 Gronau (Germany).

The European Commission and AEBR have signed the Grant Agreement 2023CE160AT234 for the implementation of the project *b*-solutions 3.0: Solving Border Obstacles to Facilitate Cooperation.

AEBR represents border and cross-border regions, acting as a fundamental platform to promote and advise local, regional, national and European policymakers on cross-border cooperation related issues.

AEBR's objectives include:

- Highlighting border and cross-border regions' role in the political landscape;
- Representing border regions' common interests;
- Enhancing cooperation between border regions throughout Europe;
- Promoting exchanges of experience, information and solutions to common obstacles.

AEBR's dedicated email address for the purpose of this call for new *b-solutions*' cases: b-solutions@aebr.eu.

2. THE CALL FOR NEW B-SOLUTIONS' CASES

The objective of this call is to identify further cases where a legal or administrative obstacle hinders cooperation amongst border regions and provide advice on possible solutions to solve the concrete hurdle.

The call for new *b*-solutions' cases addresses objective 1 of the action.

Proposals for obstacles to receive advice can be submitted at any point through the present call which will stay open until 27 February 2026, unless the available resources are exhausted before.

All applications are evaluated as soon as they are submitted and selected, under normal circumstances, within 20 working days.

Following the selection and awarding processes, successful proposals receive technical support and can expect to kick-off after the validation of the European Commission's Border Focal Point, within few weeks after submission.

The present document sets out the requirements and the process to follow to submit a proposal. As such, it should be read together with the *b*-solutions' guidelines published on *b*-solutions' website¹, which illustrate how to fill in the digital application form.

2.1 Target of the call

The present call for new *b*-solutions' cases addresses eligible applicants to identify obstacles to cross-border cooperation in the following **land and maritime border regions**:

- EU internal border regions;
- Regions along the border between EU and EFTA countries²;
- Regions along the border between EU and IPA countries³.

The main purpose of the call is to address cases where interactions across the border are more difficult because of the following **structural reasons**:

- lack of coherence of legislation⁴ applicable on the different sides of the border;
- inconsistencies, inexistence, or overlapping of different administrative procedures;
- applicable European, national or regional legislation or administrative procedure do not take into account the **specificity of cross-border interactions**.

Selected advice cases are neither meant to solve problems associated with a lack of infrastructures nor to be the source for significant investments in the border regions. Similarly, advice cases will address structural obstacles, not transitory situations such as those arisen for instance in the context of measures taken to contain the pandemic of Covid-19 or the exceptional introduction of border control measures.

Selected applicants will receive technical support, in the form of legal advice, to tackle the obstacles which hinder cooperation with the neighbouring country(ies) indicated in the application.

¹ <u>https://www.b-solutionsproject.com/call-for-proposals.</u>

² The EFTA Member States are Iceland, Liechtenstein, Norway and Switzerland.

³ IPA countries are countries under the Instrument for Pre-accession Assistance (IPA) Cross - Border Cooperation (Albania, Bosnia-Herzegovina, Montenegro, the Republic of North Macedonia, Serbia, Turkey).

⁴ Legislation in here seen in a broader context, including all regulatory framework, regardless of its source or level, applicable in the field addressed by a specific project on that territory.

2.2 Benefits for the selected applicants

Within the present call, successful applicants benefit from their participation by receiving **technical support and legal advice** on the obstacle identified. They are assigned the **support of experts** with sound knowledge of cross-border cooperation practices, competences in analysing a legal text and consultancy skills, who will cooperate with the participants in *b*-solutions 3.0 and provide legal advice.

The experts are contracted by AEBR and remunerated by AEBR with funds of the *b*-solutions project, including their costs for travelling in the framework of the advice.

Experts to advise the cases are selected by AEBR through an open <u>call for expressions of</u> <u>interest</u>. Experts will be matched with each case based on their field of expertise, language skills and understanding of specific territories⁵.

The expert's advice aims to grant support in **defining the obstacle** clearly and systematically, as well as in **identifying a possible solution** to it and outline the legal framework from which to proceed. The legal expert's analysis attributed to successful applicants leads, in each advice case, to a case report which describes the legal and administrative obstacle(s) and underpins conclusions of their work relating to options for resolving the identified obstacle.

This report will include:

- i) An executive summary;
- ii) A **description of the obstacle** with indication of the legal/administrative provisions causing the obstacle, including an explanation of the obstacle's origin, nature and impact and an illustration of a situation in which the obstacle arises;
- iii) A roadmap towards possible short, medium and long-term solutions, including
- iv) An indication of the entities to be involved in the possible solution, and
- v) A full list of all **legal provisions** relevant to the case with the correct citation both in original language and in English;
- vi) If applicable, other relevant aspects of the case;
- vii) If applicable, references and appendices.

Experts are expected to advise successful candidates by carrying out the analysis for a maximum of 8.5 days within a period of a maximum of three months. Experts are expected to visit the representatives of the case and relevant actors and are reimbursed for travel costs for a maximum of 7 days in case of two distinct visits, and for a maximum of 6 days in case of a single visit.

⁵ Experts can apply via a call for <u>expressions of interest</u> open until 31 May 2026. They are selected based on their proven legal background and knowledge of cross-border matters.

The start of the advice period will be agreed based on the selected applicant and the expert's availabilities. The advice period will last for three months.

In this chronological framework, the last advice period will end in Summer 2026.

The experts will produce a report according to the indications listed above to be submitted to AEBR and the representatives of the successful case.

It should be noted that the selection as a successful case does not entail financial support for the selected case. Successful cases do not need to file a report about their participation either.

In conclusion of the analysis by the expert, successful cases are requested to complete a onepage document to evaluate their experience and endorse the report by the expert.

2.3 Content of the application

In the online application form, applicants need to indicate:

- what the encountered obstacles is with a brief **description** of the identified obstacle;
- the potential increase in cross-border cooperation if the obstacle were solved;
- the applicant's or the co-applicant's mandate to devise solutions; and
- the **replicability** potential of the action.

Proposed advice cases should bring tangible, durable, effective and, possibly, replicable solutions to address cross-border obstacles of a legal and/or administrative nature along EU internal land and maritime borders, as well as along EU borders with EFTA and IPA countries.

The advice cases applied for in the current call must focus on one of the thematic areas addressed in the European Commission's report of 2021, and namely:

- 1) **Institutional cooperation** across national borders
- 2) Cross-border public services
- 3) Cross-border labour markets and education
- 4) Border Regions for the European Green Deal

Each application should address one specific obstacle encountered. Applicants may submit more than one case, but each application should address a different obstacle.

Obstacles should occur in the territory under mandate of the applicant, and along EU internal land and maritime borders or EU borders with EFTA and IPA countries.

2.4 Thematic coverage

For the present call for new *b-solutions*' cases, applicants can submit advice case proposals addressing the following topics mentioned in the <u>European Commission's report *EU Border*</u>

<u>Regions: Living labs of European integration</u> (COM(2021) 393 final), which are to be considered in their cross-border dimension:

- 1) Institutional Cooperation across national borders
- 2) Cross-border public services
- 3) Cross-border labour markets and education
- 4) Border Regions for the European Green Deal

The following sections provide detailed descriptions for the thematic areas of the present call.

1) Institutional Cooperation across national borders

Countries have different administrative cultures and systems. This diversity can be a constraint when different systems meet at the border. The lack of a common approach or understanding and the limited existence of mutually recognised applications and documents can lead to lengthy and costly procedures.

Actions under this topic can touch upon various fields of activity, for instance governance, data, information, etc.

2) <u>Cross-border public services</u>

People living in border regions often find themselves located far away from services within their national boundaries and digitally insufficiently connected, but close to proximity services on the other side of the border. Some border regions already have a long tradition of sharing public services or even of pooling resources to offer proximity services to all residents living on both sides of a national border.

With this thematic area, applicants are invited to describe obstacles in promoting or implementing the development of cross-border public services (health, education, culture, leisure, etc).

3) Cross-border labour markets and education

Many border regions are characterised by socioeconomic asymmetries on both sides of the national border. Creating a genuine cross-border labour market presents many advantages for businesses, employees and job-seekers. For example, employers have access to a larger pool of skills and competences and job seekers can access more job vacancies.

Under this thematic area, applicants can address obstacles related to the recognition of qualifications, the identification of available jobs, the complexity of national tax and access to social security regimes, the language barriers, remote work, etc.

4) Border Regions for the European Green Deal

The challenges linked to climate change and the environment go beyond borders. To confront these challenges, cross-border actors are encouraged to think and act collectively in the framework of the European Green Deal.

Obstacles related to the European Green Deal can include difficulties in collaborating on topics such as the energy sector, biodiversity preservation, disaster risk management planning, circular economy, green transports.

For more information on obstacles to cross-border cooperation which may be submitted, applicants are invited to consult the European Commission's Communications and the list of the obstacles identified with *b*-solutions' previous calls for proposals on the <u>initiative's website</u> and in the related <u>publications</u>.

3. WHO CAN APPLY

Eligible entities are:

- 1) **Public bodies at the national, regional or local level** with a national boundary limiting the territory for which they have a mandate;
- Cross-border entities such as European Groupings of Territorial Cooperation (EGTCs), Euroregions, Eurodistricts, Eurocities and similar cross-border structures with legal personality, established under public or private law;
- "Cross-border coordination points" established in the framework of the eventually adopted EU Regulation Border Regions' Instrument for Development and Growth in the EU – BRIDGEforEU;
- 4) "Bodies governed by public law" with mandate on a border territory according to Art.
 2(1) no. 4 Directive 2014/24/EU, if fulfilling following criteria:
 - a) they are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;
 - b) they have legal personality; and
 - c) they are financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law; or are subject to management supervision by those authorities or bodies; or have an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law; and
- 5) **"Public equivalent bodies"**, namely entities under private law which meet the conditions specified in 3) a)-c), with mandate on a border territory.

Applicants shall be located in an EU Member State or neighbouring EFTA or IPA country and share at least one land or maritime border with another EU Member State. Applicants located in an EU member state may also share a border with an EFTA country or an IPA country.

For public bodies under 1), 4) and 5), the concept of territory, as applied in this call, covers the **territory** for which a given public institution or body has a **mandate**, meaning the legal

competence to intervene in certain geographical areas in the field(s) of intervention of said body. As such, the territory is not limited to the territory in which one entity is located.

The application can involve one or more co-applicants, possibly from the other side(s) of the border, but this is not a prerequisite. There is no maximum limit to the number of co-applicants, though the feasibility of the proposals should be taken into account when defining the consortia. Co-applicants may be private actors, too. A natural person cannot be, in any case, considered as a co-applicant.

Successful applicants of the previous calls for proposals can apply again. However, cases having already received an advice in the framework of *b*-solutions cannot receive support under objective 1 on the same obstacle again.

Unsuccessful applicants of the previous calls for proposals are welcome to apply again, possibly also with the same obstacle if still relevant.

During the eligibility check, in case any applicant's status as an eligible candidate is uncertain, AEBR may seek clarifications with all relevant co-applicants to determine eligibility.

4. HOW TO APPLY

The link to the online application form is: <u>https://www.b-solutionsproject.com/apply (accessible</u> until 27 February 2026)

Please refer to the <u>guidelines</u> and the <u>Frequently Asked Questions</u> documents which contain detailed instructions on how to fill in the online application form and detailed information.

The application process is 100% paperless and accessible through *b-solutions*' website (<u>https://www.b-solutionsproject.com/</u>).

The application consists of an online application form. Annexes can also be uploaded and attached to the application form. These could be a map presenting the area of intervention, a graph, an infographic, etc. The type and size of the accepted files to be annexed are specified in the dedicated webpage.

All applicants must fill in the application form, preferably in English⁶. Applicants are invited to utilise the <u>eTranslation Tool</u> put at disposal of public administration to translate information into English if needed.

Applications can be submitted until 27 February 2026, 18:00 CET.

The selection process is on a rolling basis and, under normal circumstances, cases will be selected within 20 working days after submission.

Applicants are strongly encouraged to apply early as resources might exhaust.

⁶ Applications can otherwise be completed in all 24 official EU languages, Icelandic and Norwegian (Bokmål). If applications are received in a language other than English, these will be translated using the <u>eTranslation Tool</u>, an online machine translation service provided by the European Commission. In case the automated translation is needed, the English version obtained with this tool will be considered as being the original, and will be the only one considered for the selection and awarding process.

Applicants may submit more than one case, but each application should address a different obstacle.

There are no limitations as for the numbers of cases one applicant can submit.

Confirmation of receipt will be sent to the applicants.

5. SELECTION AND AWARDING PROCESSES

Following submission, each application is subject to a selection process with the following steps:

- 1. Eligibility check
- 2. Quality assessment

Please note that *b*-solutions 3.0 is funded with Technical Assistance of the European Regional Development Fund. Therefore, **successful applicants shall not fund similar activities like the ones offered by** *b*-solutions for the same obstacle subject of the application with **funding issued by the European Union**. Similar activities include the preparation of a legal report outlining a description of the obstacle, an indication of the legal provisions causing it, and the design of a roadmap toward possible solutions.

5.1 Eligibility check

AEBR will carry out an eligibility check on all submitted advice cases' applications. The purpose of the eligibility check is to verify compliance of the received applications and their annexes with the formal eligibility criteria.

b-solutions' general eligibility criteria are the following:

- 1. the application form has been submitted electronically via the dedicated webpage before the deadline indicated in the present call for new *b-solutions*' cases;
- 2. the application form is completely filled, preferably in English⁷;
- 3. the applicants correspond to the applicant's profile detailed under section 3 of the present call for new *b-solutions*' cases.

If AEBR needs additional information to assess the case, applicants can be requested to provide it within 10 calendar days. Eventually, if any of the eligibility criteria set out above is not complied with, the application will be deemed ineligible and no further assessment will be undertaken at this stage.

5.2 Quality assessment

AEBR will perform quality assessments and evaluate the proposals on the basis of the criteria indicated below. If needed, AEBR may receive support by the European Commission's Border Focal Point to finalise the assessment.

⁷ See footnote number 5.

Criteria for the selection of *b*-solutions' advice cases are:

1. the proposed action addresses real and documented obstacles of an administrative and/or legal nature hampering cross-border cooperation because of a structural reason, in one of the clusters addressed in the 2021 Report⁸;

- 2. the potential increase in cross-border cooperation if the obstacle is solved;
- 3. the applicant's or the partners' mandate to devise solutions;
- 4. the replicability potential of the action.

AEBR scores each award criterion on a scale from 1 to 5 (half point scores may be given), where 5 denotes that the proposal successfully addresses all relevant aspects of the criterion and 1 indicates that the criterion is inadequately addressed.

A minimum of 12 points will be needed to be selected.

Applications scoring 1 or 2 points on the first criterion (the proposed action addresses real and documented obstacles of an administrative/legal nature hampering cross-border cooperation because of a structural reason, in one of the clusters addressed in the 2021 Report) will be rejected on the ground of not falling in the scope of action.

Applications receiving less than 12 points may submit the same case again after having improved the application based on AEBR's feedback. For this reason, applicants are encouraged to submit their cases as early as possible.

In the eventuality that the number of cases that can be supported is nearly exhausted, and multiple applications are assessed concurrently, if only some applications can be selected and the number of applications meeting the 12-point threshold surpasses the available support capacity, the applications with the highest scores will be selected.

All applicants will be notified of the decision taken on their proposals upon validation of the selection by the European Commission's Border Focal Point, or following the rejection of the submission.

Non-selected applicants can apply again after improving their proposal based on AEBR's feedback.

Cases will be selected on a rolling basis and assigned to experts subsequently, under normal circumstances within 20 working days after submission.

6. HOW TO GET ASSISTANCE

AEBR's staff will be ready to assist applicants with any technical and procedural questions they may have while the call for proposals is open.

More information can be found on *b-solutions*' website (<u>https://www.b-solutionsproject.com/</u>).

⁸ European Commission's report <u>EU Border Regions: Living labs of European integration</u> (COM(2021) 393 final), see information on page 8.

A set of FAQs is available online⁹, which will be updated regularly with practical questions posed by applicants through the functional *b*-solutions' s mailbox (<u>b-solutions@aebr.eu</u>).

For questions, please contact AEBR at:

Email: <u>b-solutions@aebr.eu</u>

Phone number: +49 1764 20 90 666

Book an individual call with a team member: https://calendly.com/b-solutionsaebr/30min

7. KEY DATES

- Call opening: 24 February 2025
- Call closing: 27 February 2026, unless the available resources are exhausted before
- Selection of successful proposals: on a rolling basis, under normal circumstances within 20 working days after submission
- Expected implementation period: within a maximum of three months after assignment of an expert

8. MORE INFORMATION AVAILABLE

b-solutions was conceived to respond to the needs of border regions, which recent studies revealed as being still affected by obstacles caused by the presence of borders, in spite of the Interreg funding received for 35 years. In particular, experts pointed out these aspects:

- The European Commission's Cross-Border Review unveiled evidence to demonstrate that significant obstacles negatively affect life in border regions. Legal and/or administrative difficulties affect many aspects of life in border regions such as access to employment, access to healthcare, access to education and training, use of different technical standards, non-recognition of qualifications, lack of local cross-border public transport;
- The study Quantification of legal and administrative border obstacles in land border regions measured that the removal of 1/5 of legal and administrative obstacles could result in an average growth of 2% of the aggregate GDP of border regions¹⁰.

⁹ <u>https://www.b-solutionsproject.com/faq-1</u>

¹⁰ Politecnico di Milano (2017) "Quantification of legal and administrative border obstacles in land border regions". <u>https://ec.europa.eu/futurium/en/evidence-and-data/quantification-effects-legal-and-administrative-border-obstacles-land-border</u>

b-solutions was therefore designed to address such obstacles and help border regions to grow within an integrated European Union.

From 2018 to September 2024, six calls for proposals were launched in the framework of *b*solutions, involving practitioners and policymakers to identify obstacles to cross-border cooperation and possible solutions. In total, 165 cases were collected and reviewed by experts who advised on potential solutions to overcome these obstacles.

The analysis of the cases implemented under the *b*-solutions initiative resulted in a more comprehensive understanding of the obstacles that currently hinder the progress of European integration, and of potential tools at disposal to overcome them.

This enabled to draw relevant lessons learned:

- There are still **many legal and administrative obstacles** to cross-border cooperation within the EU, and they relate to almost all aspects of community life;
- Obstacles of a legal and administrative nature are usually accompanied also by other causes, such as the **lack of coordination** among stakeholders across borders and a higher **complexity** due to the number of actors to be involved to devise solutions;
- Overcoming legal and administrative obstacles is a lengthy and complex process and often requires to amend the legal and administrative frameworks within which cross-border cooperation projects are operating. Amendments can take the form of agreements among the local actors involved in the issue at hand, revision of the legal provision in one or all of the Member States involved, bilateral agreements or modification of the European law;
- Using **complementary types of responses**, such as the development of new approaches or the cross-border harmonisation of already existing methodologies, can be also very effective in mitigating the negative impacts caused by the legal and administrative obstacles;
- The strong political commitment of stakeholders at different levels (European, national, regional and local) is crucial to implement sustainable, long-term, solutions.
 Essential is also the commitment of regional and national administrations to adopt a collaborative and inclusive approach based on dialogue;
- Performing thorough researches, evidence-based analyses (practical guides) and joint trainings is essential to understand what the real obstacles preventing or hindering cooperation are. Only this can ensure the access to detailed and accurate crossborder information to outline the most appropriate form of solutions;
- The **lack of capacity** of stakeholders to fully assess the barriers, particularly where these are based on complex legal/administrative issues is a major blocking factor on progress, as it prevents to clearly define possible solutions;
- Certain **instruments and tools** put forward by the **European Union** have proven very useful for local authorities in resolving impediments to cross-border cooperation and in overcoming obstacles (i.e Interreg, European Groupings of Territorial Cooperation).

Based on these lessons, AEBR and the European Commission identified some indicative recommendations for policy measures addressing policymakers involved in cross-border cooperation at all levels. These are presented in detail in the four compendiums published within *b*-solutions, which can be accessed on the *b*-solutions' website.

In consideration of the main aim of the initiative, the lessons learned are meant to raise the overall awareness of cross-border practitioners and might serve to inspire organisations willing to participate in the present call for new *b*-solutions' cases.

To know more, please visit https://www.b-solutionsproject.com/

To be part of a community of experts in cross-border issues and stay up-to date on initiatives relevant to border regions, register to the <u>Border Focal Point Network.</u>