Procedure file

Basic information

INL - Legislative initiative procedure 2022/2194(INL) Procedure completed

Amending the proposed mechanism to resolve legal and administrative obstacles in a cross-border context

Subject
2.80 Cooperation between administrations
4.70.05 Regional cooperation, cross-border cooperation
7.40.02 Judicial cooperation in civil and commercial matters

Key players

European Parliament

Committee responsible

REGI Regional Development

Rapporteur

GOZI Sandro

Shadow rapporteur

DORFMANN Herbert

CREU Corina

CUFFE Ciarán

PANZA Alessandro

TOMASZEWSKI Waldemar

KIZILYÜREK Niyazi

European Commission

Commission DG

Justice and Consumers

Commissioner

REYNDERS Didier

Key events

19/01/2023 Committee referral announced in Parliament
19/07/2023 Vote in committee
27/07/2023 Committee report tabled for plenary A9-0252/2023 Summary
13/09/2023 Debate in Parliament
Amending the proposed mechanism to resolve legal and administrative obstacles in a cross-border context

The Committee on Regional Development adopted the own-initiative report by Sandro GOZI (Renew, FR) with recommendations to the Commission on amending the proposed mechanism to resolve legal and administrative obstacles in a cross-border context.

Internal border regions cover 40% of the EU’s territory, account for 30% of its population (150 million people) and are home to almost 2 million cross-border workers. Despite Parliaments adopted mandate on the proposed European Cross-Border Mechanism in 2018 and repeated calls on the Council to adopt its first-reading position, Member States halted this draft legislation. Moreover, in light of recent trends on intra-EU labour mobility, and in order to face various demographic, social, economic and environmental challenges, to reduce disparities, and prevent brain drain, the Union needs to step up its efforts to address persisting cross-border legal and administrative obstacles in the broader context of cohesion through a far more efficient cooperation of border region authorities as well as a new effective instrument.

In order to ensure that a new legislative proposal aimed at removing cross-border obstacles in the EU is prepared by the European Commission, Members suggest this new regulation using legislative initiative procedure.

The removal of complex cross-border obstacles requires a high degree of cooperation among Member States. The underlying assumption of the draft report is that this task could be carried out more easily and rapidly by allowing national, regional and local authorities of the Member States concerned to formulate ad-hoc solutions in a joint effort. The direct involvement of regional and local authorities would additionally rule out the need to establish regional Cross-border Coordination Points, while the collective formulation of the solution to a cross-border obstacle would avert protracted exchanges of draft texts between national authorities.

Cross-border Coordination Points

Members consider that the establishment of Cross-border Coordination Points is crucial to provide public authorities, civil society, citizens, and private bodies with an interlocutor capable of addressing legal or administrative obstacles hampering the implementation of a joint project. They maintain that through Cross-border Coordination Points, Member States should assess on a voluntary and a case-by-case basis whether and how to address the request for assistance in removing the obstacles and administrative burden. A way to boost multilevel governance, innovation, and stronger cooperation between border regions is to enable Cross-border Coordination Points to establish Cross-border Committees when addressing a complex obstacle that requires higher cooperation among the relevant authorities of border regions on all levels.

Public and private bodies, organisations supporting cross-border cooperation and initiatives would be able to come up with projects identifying obstacles halting cross-border development. The Cross-border Coordination Point would analyse it and suggest the next steps. If the solution required cooperation of another Member State, national Cross-border Coordination Point can ask its counterpart to set up a Cross-border Committee representing all authorities that would need to be involved to design a joint solution. However, Member States will be free to decide whether to use the cross-border mechanism or not. Moreover, countries could also decide to follow the same arrangements for border regions with candidate countries.

The report also called on the European Commission to be in touch with cross-border coordination points, provide technical assistance, promote best practices and set up a public database listing all ad-hoc solutions.
Amending the proposed mechanism to resolve legal and administrative obstacles in a cross-border context

The European Parliament adopted by 521 votes to 36, with 13 abstentions, a resolution with recommendations to the Commission on amending the proposed mechanism to resolve legal and administrative obstacles in a cross-border context.

Internal border regions cover 40% of the EU's territory, account for 30% of its population (150 million people) and are home to almost 2 million cross-border workers. According to estimations, the setting up of a legislative tool at Union level to address cross-border obstacles, combined with existing tools, could bring about economic benefits of EUR 123 billion, while removing all obstacles would bring up benefits up to EUR 460 billion.

In light of recent trends on intra-EU labour mobility, and in order to face various demographic, social, economic and environmental challenges, to reduce disparities, and prevent brain drain, Parliament considered that the Union needs to step up its efforts to address persisting cross-border legal and administrative obstacles in the broader context of cohesion through a far more efficient cooperation of border region authorities as well as a new effective instrument.

Parliament requested that the Commission submit, on the basis of third paragraph of Article 175 of the Treaty on the Functioning of the European Union, a proposal for a regulation on a Border Regions Instrument for Development and Growth in the EU.

The amendment to the ECBM proposal should concentrate on creating a simple and straightforward coordination framework allowing authorities at various levels to remove legal and administrative obstacles, while preventing the duplication of bodies and authorities, and the creation of unnecessary administrative burden.

Members believe that the establishment of Cross-border Coordination Points is crucial to provide public authorities, civil society, citizens, and private bodies with an interlocutor capable of addressing legal or administrative obstacles hampering the implementation of a joint project.

Through Cross-border Coordination Points, Member States should assess on a voluntary and a case-by-case basis whether and how to address the request for assistance in removing the obstacles and administrative burden. Cross-border Coordination Points should establish Cross-border Committees when addressing a complex obstacle that requires higher cooperation among the relevant authorities of border regions on all levels.

Member States, when voluntarily deciding to trigger the instrument, should dispose of various policy measures to address the obstacle, such as a review of its administrative or legal framework through unilateral actions taken at the relevant level, soft-law instruments, the deferral of the management of the obstacle to the competent bodies established by existing bilateral or plurilateral treaties, or finally through the setting up of a Cross-border Committee tasked with the drafting of an ad-hoc solution to address one or more of the obstacles identified.

The adoption of a decision on the implementation of any ad-hoc solution drafted by the Cross-border Committee should remain at the discretion of the competent authorities at the relevant level of the Member State concerned.

Members stressed that sufficient funding for the proposals set out herein is required and considers that the financial implications of the requested proposals should be covered by the relevant Union budgetary allocation.