Basic information

2022/2194(INL) INL - Legislative initiative procedure	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**	**Rapporteur**	**Appointed**
	REGI Regional Development	GOZI Sandro (Renew)	24/10/2022
		Shadow rapporteur DORFMANN Herbert (EPP) CREȚU Corina (S&D) CUFFE Ciarán (Greens/EFA) TOMASZEWSKI Waldemar (ECR) PANZA Alessandro (ID) KIZILYÜREK Niyazi (The Left)	
European Commission	**Commission DG**	**Commissioner**	
	Justice and Consumers	REYNDERS Didier	

Key events

Date	Event	Reference	Summary
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		
14/09/2023	Decision by Parliament	T9-0327/2023	Summary

14/09/2023	Results of vote in Parliament		

Technical information	
Procedure reference	2022/2194(INL)
Procedure type	INL - Legislative initiative procedure
Procedure subtype	Request for legislative proposal
Legal basis	Rules of Procedure EP 47
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	REGI/9/10913

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE740.608	27/04/2023	
Amendments tabled in committee		PE749.290	05/06/2023	
Committee report tabled for plenary, single reading		A9-0252/2023	27/07/2023	Summary
Text adopted by Parliament, single reading		T9-0327/2023	14/09/2023	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency

Name	Role	Committee	Date	Interest representatives
CUFFE Ciarán	Shadow rapporteur	REGI	02/06/2023	Irish Central Border Area Network (ICBAN)
CUFFE Ciarán	Shadow rapporteur	REGI	02/06/2023	Centre for Cross Border Studies (now trading under the name Centre for Cross Border Cooperation)

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

2022/2194(INL) - 27/07/2023 - Committee report tabled for plenary, single reading

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 Parliament's 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

2022/2194(INL) - 14/09/2023 - Text adopted by Parliament, single reading

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.