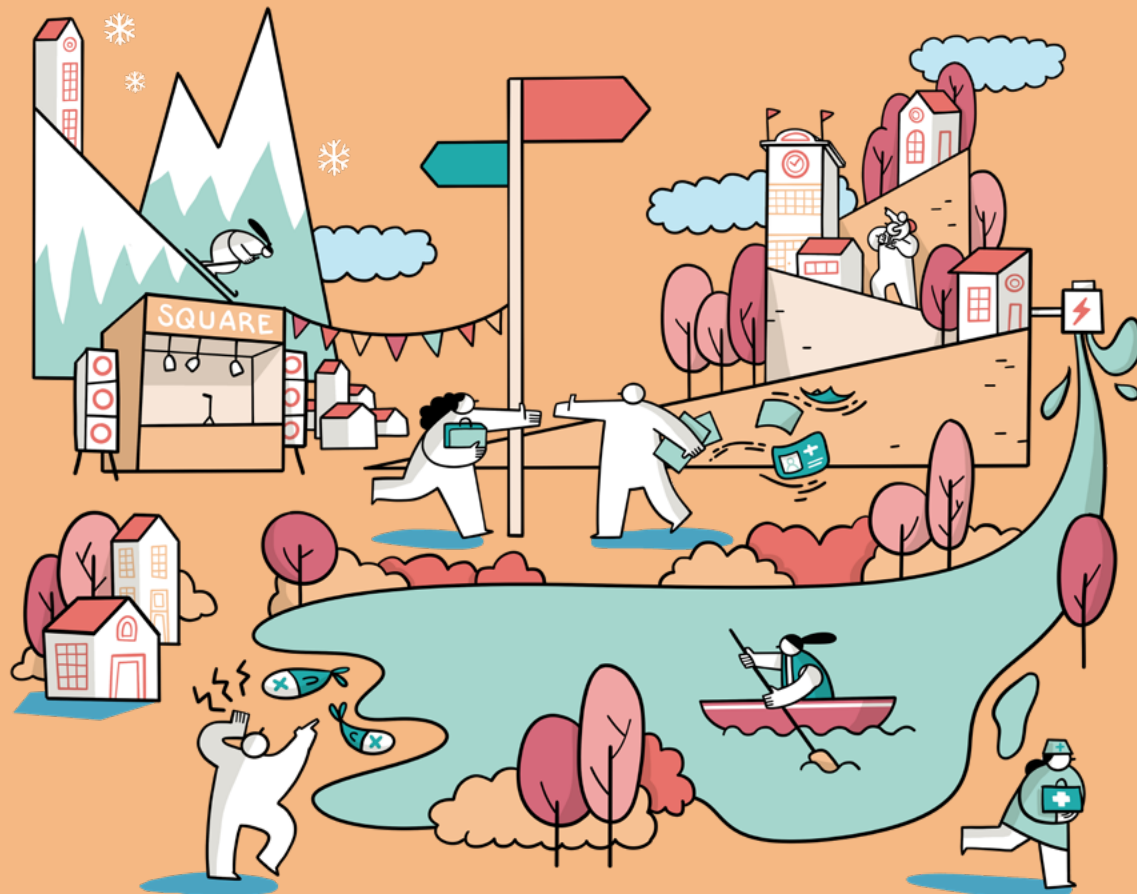


Living in a Cross-Border Region

Nine Stories to Facilitate Cross-Border Solutions



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Preface by the European Commission

For centuries, borders have been dividing populations, often sparking enmities and conflicts. Even today some of them often still bear the scars of our history. European integration has mitigated the “separating effects” of these borders, promoted reconciliation, trust and cooperation, and transformed borders into bridges between neighbours. This has helped to improve the daily lives of 150 million European citizens living in border regions, representing about one-third of the EU’s population.

Despite these efforts, we still discover that borders act as barriers in areas located most often at the edge of a territory and far from the core, limiting opportunities for citizens and businesses and delaying socio-economic development. This has been reinforced by the recent COVID-19 pandemic when uncoordinated border closures had disproportionate negative consequences for border regions. All too often, these regions are unable to fully realise their socio-economic potential because differences in legal and administrative systems persist, hindering cross-border cooperation and integration and erecting new, invisible barriers.

It is therefore our duty and responsibility to foster cross-border cooperation that supports citizens, businesses, and public authorities in addressing these barriers. To achieve this, in 2018 the European Commission launched the *b-solutions* initiative, implemented by the Association of European Border Regions (AEBR). It addresses legal and administrative border-related obstacles by identifying their causes and proposing possible solutions. In this way, *b-solutions* improves the lives of citizens living in these border regions and helps them to thrive and prosper.

Each border obstacle has a story behind it. Stories coming directly from citizens are important because they can guide our policies towards improving their everyday lives. Therefore, this publication presents nine stories illustrating different border obstacles and their impact on people in border areas – from starting a business, providing healthcare services to the difficulties faced by binational couples that want to register their kids in kindergarten just across the border.

These stories are not just anecdotes; they contribute to overcoming border blindness by spotlighting various cross-border experiences in the European Union. As such, they serve as unique sources of data and knowledge for better policies and for EU integration, working seamlessly across the borders. *B-solutions* has also proved to be an invaluable tool in the preparation of the recently adopted amended proposal for a ‘Regulation on Facilitating Cross-Border Solutions’. We hope that this proposal will be swiftly adopted and will help Member States and their border regions in resolving border-related obstacles and improving cross-border cooperation.

Let us draw lessons from these insightful stories and work together towards a better future of our border regions.



Themis Christophidou
Director-General for Regional and Urban
Policy of the European Commission

Preface by the Association of European Border Regions (AEBR)

It is a pleasure to publish another edition of *Stories of b-solutions* – an illustrated, handpicked selection of cases of the innovative solutions that the *b-solutions* initiative promoted recently.

The stories included in this publication highlight the possibilities that can be found and implemented to bring cross-border cooperation to life and make it more resilient, in a context where different administrations and cultures intersect.

Understanding what makes cooperation difficult and finding solutions to these difficulties is the core work of the Association of European Border Regions (AEBR). Our daily mission is to help local actors in border regions address the differences that arise when cooperating with their neighbours, and to implement solutions that work on both sides of the border. After decades of Interreg funding and specific European regulations for territorial cooperation, we aim to build a new generation of cross-border cooperation based on solidarity, understanding, openness and multi-level governance.

Cross-border cooperation is at the heart of our work. It has enabled border regions to develop and achieve a better quality of life for their citizens, for example, by building infrastructure, improving cross-border services, and creating opportunities for jobs and businesses. We must create a Europe built on real experiences and cooperation to truly enable these investments to flourish. Together with our neighbours, we must overcome obstacles stemming from different technical rules or diverging national administrative and legal provisions. We now have some tools at our disposal to align standards, procedures, and laws, and I invite everyone to use the available instruments and demand better ones when needed.

With these stories, we wish to show the way forward and inspire actors of cooperation, policymakers, local administrations, and politicians to innovate and work together to make European integration a reality for their citizens. Innovation and the willingness to look for solutions tailored to the needs of each specific border region are essential for cross-border cooperation. For this reason, I am happy to share the experiences we have collected with the *b-solutions* initiative.

I want to thank everyone who has contributed to this publication and congratulate the people who presented these cases to search for solutions and improve services to their fellow citizens. I hope these stories will inspire similar actions in other border territories.

Sincerely,



A handwritten signature in blue ink, appearing to read 'K. Lambertz'.

Karl-Heinz Lambertz
President of the Association of European
Border Regions (AEBR)

Introduction

One-third of the EU's population resides in border regions, which constitute 40% of the total territory of the European Union. Consequently, borders and events occurring in these areas play a significant role in the EU integration process. Unfortunately, the realities of cross-border regions are often overlooked.

Confronted with pressing challenges in Europe, heightened awareness of these territories and the difficulties they face is essential. Border regions, embodying both the benefits and shortcomings of European integration, need more than mere financial support. It is our duty to advocate for increased political, legal, and technical support to ensure that the people living in these regions enjoy the same rights, public services, and socioeconomic outcomes as their fellow citizens in urban centres and capital cities. By fostering enhanced cooperation, we can collaboratively develop innovative approaches to facilitate cross-border exchanges and bolster resilience in crises, thereby improving the living conditions in cross-border regions and advancing the European project.

Launched in the aftermath of the European Commission's 2017 Communication "Boosting growth and cohesion in EU border regions"¹ and continued after the 2021 Report "EU Border Regions: Living Labs of European Integration"², the '*b-solutions*' initiative has been instrumental in this regard. *b-solutions* addresses legal and administrative cross-border obstacles using a bottom-up approach, wherein cross-border obstacles are identified and analysed by legal experts who subsequently propose potential solutions. Led by the Association of European Border Regions (AEBR) for the Border Focal Point of the European Commission's Directorate-General for Regional and Urban Policy, this initiative, which now includes over 150 cases, contributes to combating persistent legal and administrative obstacles along EU borders. This concerted effort seeks to shape a more integrated future for the entire European Union.

Through nine stories of individuals living in European cross-border regions, we aim to bring you closer to the challenges they face. As you delve into the complex facets of the daily lives complicated by borders, you will discover narratives revealing human challenges and often overlooked realities. Follow Marco's journey, whose professional dream was shattered by incompatible educational and employment systems between Austria and Italy. Take a walk on a public square located directly on the border between Italy and Slovenia and experience the difficulties of organising events in this shared space due to differing requirements and lack of coordination. Explore André's and his family's story, temporarily being deprived of health insurance coverage due to a procedural delay in health authorities' coordination. Navigate through the murky waters of the Scheldt River between France and Belgium, where thousands of fish died, paying the price for a delay in communication between border authorities after a dam broke. Witness how employment and social security systems between Denmark and Sweden discourage Klara, a Danish recruitment manager, from hiring Oliver, a qualified Swedish electrician job seeker, as their differences would incur additional costs and a financial burden for her company. Share the disappointment of the Krüger family facing the complexities of sending their children to the school of their choice on the other side of the border, resulting from national legal frameworks that often hinder the cross-border mobility of primary school students. Feel the frustration of Céline's mother, not having access to home palliative care due to differences in medical practices between neighbouring countries. Read about Sabine's disappointment with the rejection of her proposal to build wind turbines to supply sustainable energy to communities on both sides of the border, due to numerous legal, technical, and administrative obstacles. Paddle down the Danube River with kayak guide Adriana as she navigates the differing national rules and obstacles that stand in the way of a booming water tourism industry between Slovakia and Hungary.

Each of these stories, whether related to healthcare, education, energy resilience or multilingualism, allows us to experience the human implications of border obstacles and to envision solutions for a truly borderless future.

In situations where administrative and legal obstacles prevent citizens from accessing the nearest services, *b-solutions* experts have proposed several remedies. From revising legislation to the implementation of bi- or multilateral agreements or making use of a European legal tool, possible legal solutions are manifold. Furthermore, greater awareness, coordination, and cooperation among authorities of all levels of government are often advised, along with the exchange of best practices, the development of informational tools, or the adoption of joint administrative procedures. These innovative solutions are avenues that cross-border regions can explore to fully leverage their potential and to bring the European Union closer to their citizens.

b-solutions is an invaluable tool that brings together a range of solutions to improve the quality of life for people in cross-border regions and advocates for new policies. All of these cases constitute a precious source of information on border obstacles, prompting us to constantly reassess existing tools. They also highlight the need to adopt new policies that must be specific and tailored to the diversity of borders and the particular context of each cross-border territory. Thanks to the evidence-based information collected and evaluated, significant progress has already been achieved. We can notably mention the inclusion of the Interreg Specific Objective 1 “A Better Cooperation Governance” for the Interreg VI 2021-2027 programming period³ and the adoption by the European Commission of the amended Proposal for a “Regulation on Facilitating Cross-Border Solutions” in December 2023⁴. These crucial steps in the development of strengthened cross-border cooperation are fuelled by a constant desire for innovation and continuous improvement.

While the implementation of solutions may be a complex and challenging process, it is precisely through this meticulous approach, attentive to the needs of everyone involved, that genuine trust can emerge. The key lies in the political commitment and determination of border actors at various levels. It is this willpower that has the capacity to unite all parties involved in a shared quest to overcome border obstacles and shape a more harmonious cross-border future.

Dedicated to capitalising on the knowledge and insights gained, several publications have been released since the inception of the *b-solutions* initiative⁵. Two compendiums of cases from 2018 to 2021 and seven other short stories are already available. These publications demonstrate that tangible solutions exist to transform border territories into unique places, contributing to the development and support of the border community.

We hope that these stories will inspire you, the reader, and shed light on the importance of promoting cohesion across our borders, both internal and external.

1 Communication from the European Commission to the Council and the European Parliament Boosting growth and cohesion in EU border regions, COM(2017) 534 final of 20 September 2017.

2 Report from the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Border Regions: living labs of European integration, COM(2021) 393 final of 14 July 2021.

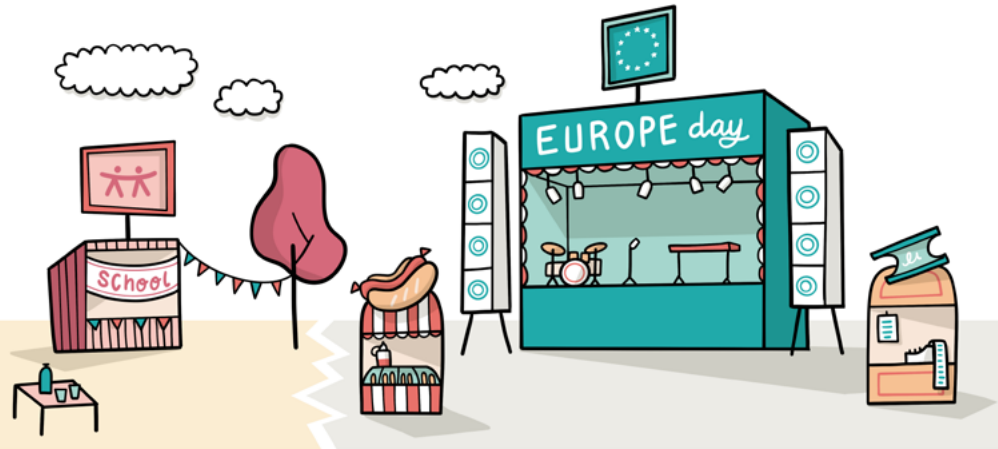
3 Art 14, par 4, REGULATION (EU) 2021/1059 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 June 2021 on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A32021R1059>.

4 European Commission, Amended proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a mechanism to resolve legal and administrative obstacles in a cross-border context (2018/0198 (COD)), https://ec.europa.eu/regional_policy/sources/policy/cooperation/european-territorial/proposal-facilitating-cross-border-solutions_en.pdf.

5 Accessible at <https://www.b-solutionsproject.com/library>.

Europe Square...

A symbol of friendship and cooperation



The European Capital of Culture (ECoC) is a celebrated title awarded every year to two European cities, showcasing artistic and cultural events to highlight the cultural diversity and shared heritage of Europe and of the local communities. Embarking on the ECoC journey with the appropriate slogan “GO! BORDERLESS,” the two border cities of Nova Gorica in Slovenia and Gorizia in Italy joined forces for this initiative, united in their shared history shaped by past conflicts and geopolitical changes. **With the elimination of the physical and political border, and in the spirit of friendship and cooperation, the two cities now have an ambitious goal: to become an emblematic cross-border European Capital of Culture in 2025, in which the Europe Square will serve as one of the main venues.** The square is located directly on the border line between Italy and Slovenia, a symbolic location between the border cities of Gorizia and Nova Gorica.

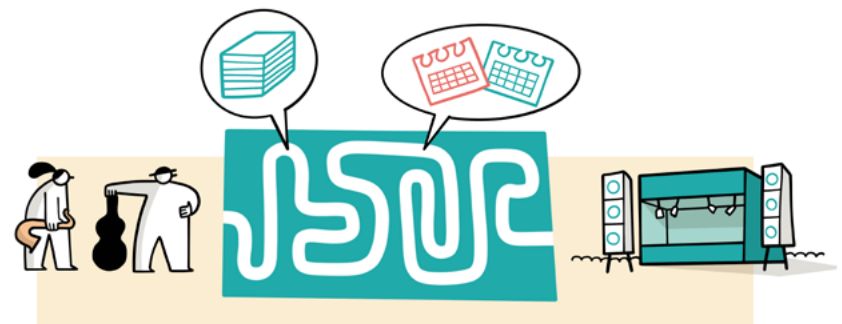
An important concert to celebrate ‘Europe day’ had been planned on the square by the representative office of the European Commission in Slovenia along with the ECoC team event organisers. The concert would represent a celebration of EU values, which are also enshrined in the ECoC project.

With just a few days to go, everything was already in place; the stage was built, the permits approved, and flyers printed. But to their surprise, there was a parallel event scheduled on the square on the same day: a school gathering from the Italian side. How could this have happened?

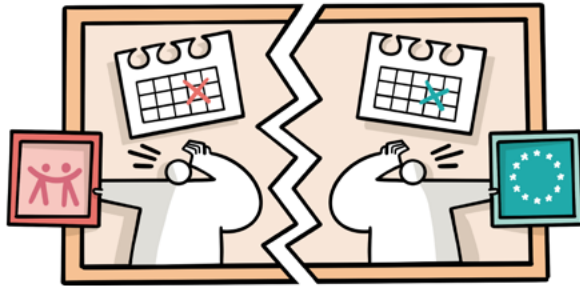
This double booking of events was caused by the different administrative procedures and legal requirements, since the square is located in both countries. The offices permitting the use of public space are different in each country and there is a lack of coordination between them, so there was no mutual communication of either event. The Italian school gathering was moved to another venue as a last-minute solution, but a bigger challenge remains: How to overcome the practical, legal and administrative obstacles to achieve a truly borderless square for all to enjoy?

Despite the square’s special role as a strategic and accessible venue site, event promoters face several challenges. Since each country has its own legal framework for practical matters related to safety and technical rules, and a variety of different actors involved, the administrative difficulties lead to the time-consuming duplication of efforts and costs. The procedures and permits are in two different languages, and the amount of work that goes into planning an event is endless: organising security, road closures, finding vendors, obtaining multiple permits, etc.

These obstacles also have an impact on attracting artists and vendors, as one world-known intermedia artist who was set to display their artwork on the square made clear: “I was used to organising events in the most unconventional places, but I’ve chosen to relocate an important intermedia event planned on the Europe Square to another location, due to the extensive paperwork and double financial costs associated with insuring the artwork in both countries.”



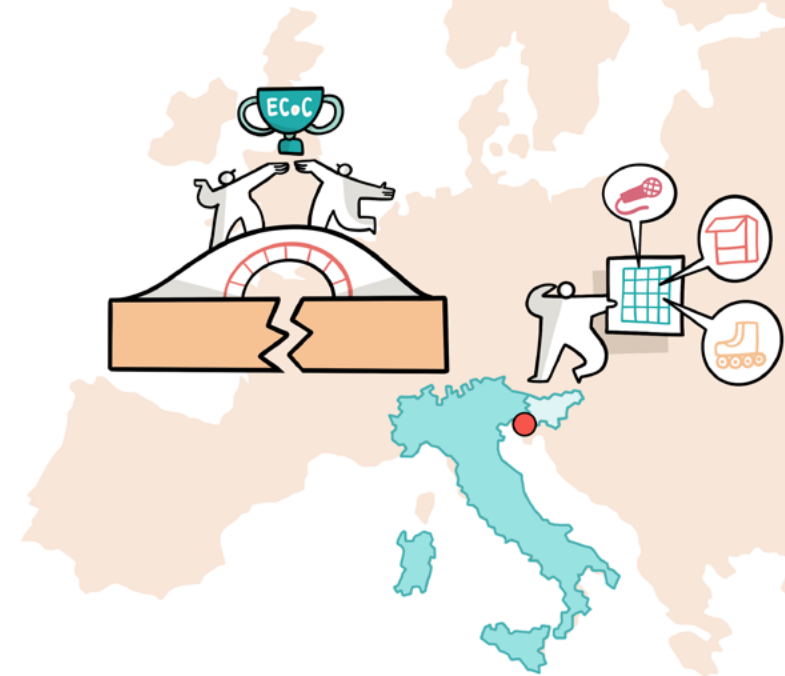
The sentiment is also echoed by the event organisers: “The idea of organising events on the border is wonderful and progressive, but the problem arises when it comes to implementation. Imagine needing one type of approval for one half of the stage and something entirely different for the other half, obtaining them from two different countries and municipal authorities, each with its own pace and regulations... I doubt that any organiser who has already been in this situation would willingly embark on this adventure again.”



What are some possible solutions?

Several strategic and practical solutions were proposed, including:

- An informative manual in both Slovenian and Italian for better coordination.
- A software solution to simplify the process for the event organisers.
- Administrative packages for the smooth coordination of events and public procurement.
- An annual tender for the use of the square for a limited time.
- However, the most viable solution would be to define a special legal zone for the mutual management of the square. Similar to a duty-free zone, where the rules are determined solely for that specific area, a unique administrative procedure could be applied regardless of which side of the square the events take place on. Creating a common legal space for the square would improve coordination and remove administrative obstacles. But in the absence of an EU legal mechanism to create such a space, this may take some time and requires significant support from politicians, ministries, and the European Union.
- Amending the existing bilateral agreement is also a practical option, to agree on the mutual usage and management of the square. Adding a special legal framework into one of the existing bilateral Italian-Slovenian agreements would make it easier to choose just one national law when dealing with procurement and event planning.



But the dream of a truly borderless square does not end with the celebration of the ECoC 2025. There are bigger ambitions in the long-term, to promote the revitalisation and development of the square and the surrounding areas so that residents can enjoy the space for years to come. This spirit of cooperation and the seamless blending of the border will be on full display during the March of Friendship, an important symbolic event planned for May 2025.

Looking to the future, Anka Madon from the GO! 2025 project is positive that these obstacles can be overcome:

“I believe that finding a sustainable solution and bringing this borderless land to life would be one of the most important legacies in our ECoC project.”

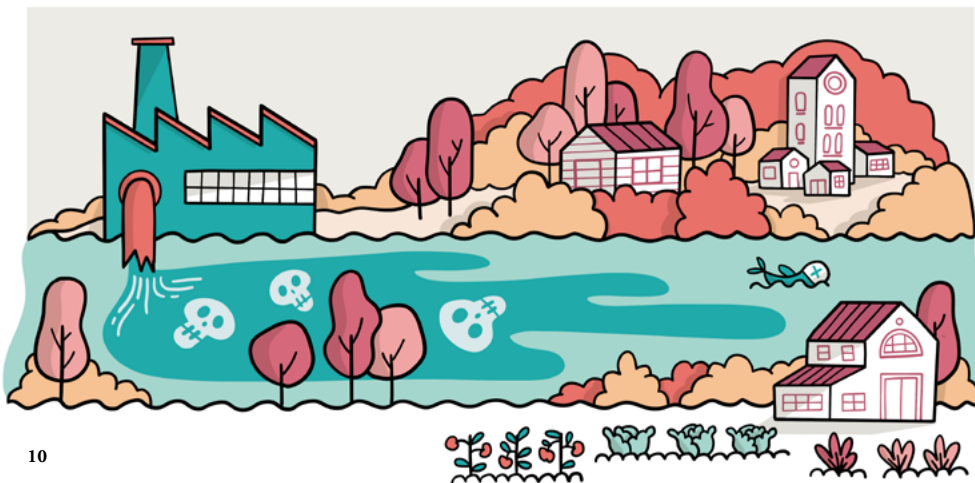
In the end, the goal is not only the resolution of obstacles concerning the square, but also to create a good practice for all areas along the Italian-Slovenian border and perhaps inspire other cross-border regions in Europe.

Saving our nature together - water governance in the European Nature Park Scarpe-Escaut Plains

It was a very sad picture unfolding in the French-Belgian cross-border European Nature Park of Scarpe-Escaut Plains on 12 April 2020: hundreds of dead fish were found lying on the banks of the river Scheldt (Escaut in French), in an area which is known for its rich biodiversity.

What had happened? Due to an accident in a French sugar factory in Escaudoeuvres a few days before, polluted water had spilled over to the neighbouring municipalities on both sides of the border, eventually reaching the water of the river Scheldt. The landscape in this border region is very diverse, with a combination of wooded, rural and urbanised areas, with more than 292,000 people living in the 127 communes and villages.

**The river is vital to these communities
for drinking water,
industries and agriculture.**



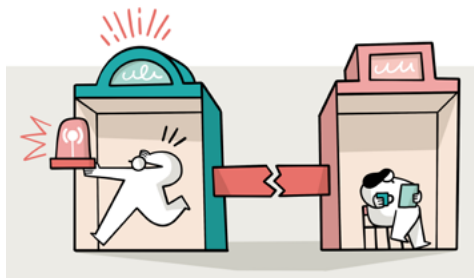
Apparently, there was a delay in communication between the French and Belgian authorities, and it was only a week later that the Belgian authorities activated their warning scheme and respective rescue measures (e.g., oxygenation capture and sheltering of fish). In the meantime, 70 tonnes of dead fish had piled up, which meant a 50% decrease in the fish population of the nature park area.

It seems surprising that such a catastrophe could happen in an area that has been involved in cross-border cooperation for more than 40 years. Could it have been prevented if the authorities on both sides of the border had reacted earlier? “When something happens at the border, we tend to fall back on what we know on our side and forget about the other side, even though this is not the right reflex to have,” explains Lisa Bardot, Cross-border Cooperation Officer of the European Nature Park of Scarpe-Escaut Plains.

It is not only in a crisis situation that the lack of coordination becomes evident, but also in the daily management of the nature park, when things do not go as smoothly as they should. **And there are multiple challenges in the cross-border area: the nature park is dealing with the first signs of climate change, including droughts and flooding, all affecting the sensitive ecosystem of the area.**

To better understand the reasons behind the lack of communication and coordination, we have to look closer at how water policy is governed in each country. The EU Water Framework Directive⁶ lays the foundations to develop a river basin management plan between EU Member States by harmonising objectives and mechanisms in this respect. However, in France, the Departments are responsible for the management of non-navigable waters and it is distributed by hydrographic basins, whereas in Belgium the management depends on the size and type of use of the watercourses. In addition, the two countries are not bound by the same international legal acts. While both countries adopted the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes⁷, the subsequent 1997 New York Convention on the Law of the Non-Navigational Uses of International Watercourses⁸ was only adopted by France.

The European Grouping of Territorial Cooperation (EGTC) European Nature Park of Scarpe-Escaut Plains (ENPSEP) has therefore been created to better coordinate different management issues between the two countries. However, sometimes the staff are not certain about which institution is in charge on the other side of the border, and it is a day-by-day learning and adaptation process.



Possible solutions:

- The ENPSEP could serve as a facilitator of cross-border water management and as a neutral actor to build mutual trust among the stakeholders by organising coordination meetings among political and technical representatives, in order to deepen mutual understanding, friendship and knowledge. These could be financed through the France-Wallonie-Vlaanderen Interreg programme, for instance.
- In addition, legal agreements (e.g., having Belgium ratify the 1997 UN Watercourses Convention) could be introduced so that the countries could sign an agreement to jointly manage the ENPSEP waterways.
- At the national level, legislation could be amended to include cross-border cooperation in the negotiation process of the river basin management plan.



- The EU could also add a provision to the Water Framework Directive, adapting it to cross-border contexts.
- The water development and management plans in France could be revised to include the Belgian stakeholders in the French Local Water Commission.
- It would be helpful to have an EU legal tool to allow for the application of a similar legal framework in the cross-border river area.

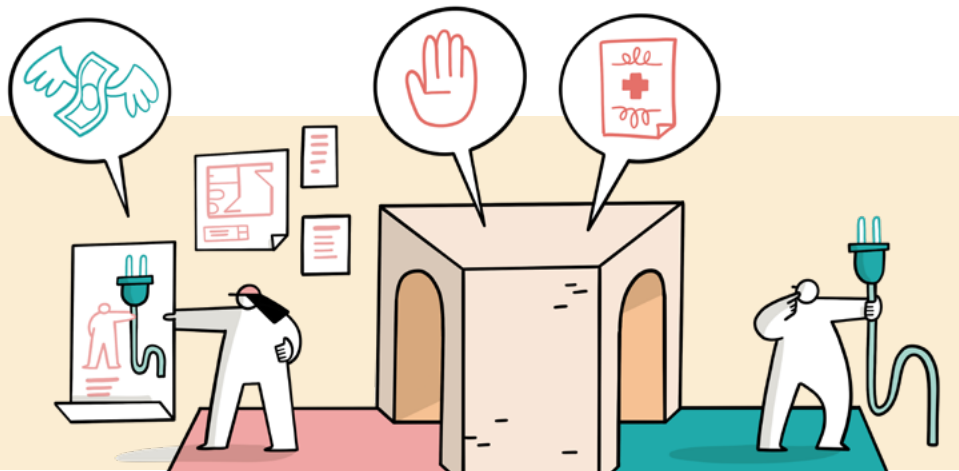
In the meantime, bridges keep being built. For example, a cross-border New Year's celebration was organised, bringing citizens, politicians and technical partners of the park together in order to celebrate the achievements of transboundary cooperation. And Lisa Bardot confirms that “working across borders means being in an ongoing pilot project all the time. It is really the human factor that is important for its success and we have to continuously build up these relationships.”

⁶ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy.

⁷ Convention on the Protection and Use of Transboundary Watercourses and International Lakes, adopted by the United Nations Economic Commission for Europe (UNECE) in Helsinki on 17 March 1992, entered into force 6 October 1996, United Nations Treaty Series No. 33207.

⁸ New York Convention on the Law of the Non-Navigational Uses of International Watercourses (UN Watercourses Convention), adopted by the United Nations General Assembly in New York on 21 May 1997, entered into force 17 August 2014, United Nations Treaty Series No. 52106.

On the way to a vibrant cross-border job market



Klara, the hiring manager at a construction company in Denmark, wants to hire skilled electricians from Sweden. She is facing a dilemma as she cannot find enough workers in Denmark to fill all the roles. Oliver works part-time as an electrician in Sweden but is seeking another part-time job in Denmark since he needs the work. This could be the perfect match if it weren't for the complex employment rules between Denmark and Sweden.

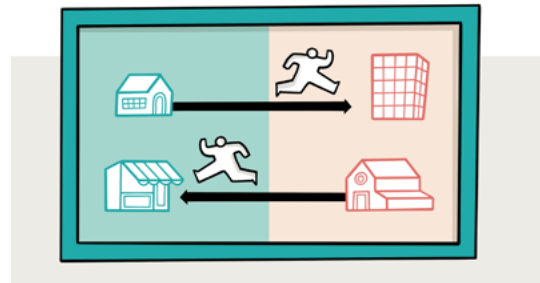
The different social security systems in the neighbouring countries of Sweden and Denmark make it difficult to work on both sides of the border. Unemployment in Sweden is higher than in Denmark, prompting Swedish residents to look for work in Denmark, while employers in Denmark are eager to employ them because they lack skilled workers in certain sectors.

However, the rules on cross-border work are complicated. The Øresund Agreement⁹ is a special agreement between the two countries on social contribution fees, in which Swedish workers with only one Danish employer are allowed to work in Sweden up to 50% of the time. However, Swedish workers with several employers in Denmark, or employers in both countries, are left at a disadvantage.

On the other hand, Danish businesses, eager to tap into the labour market just across the border to fill many open positions, must pay higher contributions to the Swedish government for cross-border workers if they are socially insured in Sweden. This often discourages businesses from hiring workers in Sweden. It is for this reason that Klara is hesitant to hire Oliver because her company will end up paying Swedish social security fees, which are more than twice as much as in Denmark.

This financial burden for Danish employers ultimately disrupts the job market, often discouraging them from embracing the much-needed labour and skills offered by their Swedish neighbours. And the consequences? Job mobility is restricted, and cross-border workers find themselves caught in a web of administrative complexities.

Erik, a Danish citizen, lives in Sweden with his Swedish wife and child. He works in Denmark and is socially insured in Denmark. Erik's child suddenly falls ill, requiring assistance at home. After a while, Erik finds a part-time job in Sweden to take care of his child and has to reduce his hours at his Danish job to spend more time at home. Because of how much time he now works in Sweden, he is socially insured there. A year later, his Danish employer receives a bill from the Swedish Tax Office, ordering them to pay the Swedish employment fees. The employer becomes upset and demands that Erik either pay the bill himself or resign. Erik, already facing financial strains, decides to leave his job in Denmark and now has to find another one in Sweden.



According to Emma, who works at the Øresunddirekt information centre and assists people like Oliver, Klara and Erik every day as they try to navigate the complex rules, “so many people living on both sides of the border would benefit if they could work in both countries. Our hope is that the entire labour market opens up in the region. There shouldn't be an obstacle to having a morning job in Sweden and an evening job in Denmark. If the cross-border labour market functioned seamlessly, it would make a big difference.”

So, what are the possible solutions?

For workers and employers in Sweden who are dealing with employment in both Denmark and Sweden, there is some hope.

The optimal solution would be to insert an exception to either the current Øresund Agreement, or as a Guidance Note to Regulation No. 883/2004¹⁰, for cases where an employee holds several jobs on each side of the border. This would allow the employer to pay its own national rate of social contributions, but to the Member State of residence of the employee. This way, employees residing in Sweden would still receive social insurance in their country of residence (Sweden), in cases where 25% or more of the work is carried out in Sweden. Therefore, Danish employers would not be discouraged from employing Swedish employees that seek part time jobs due to the high Swedish social contributions.



Alternatively, following the recent EU Guidance Note on Telework in 2023¹¹, a new framework agreement would allow workers with multiple employers to work from Sweden up to 50% of the time. However, both countries must sign the agreement for it to come into place. Furthermore, in the spirit of fostering the free movement of cross-border workers, Danish contract clauses that force employees to pay for their own social contributions in Sweden should be avoided. A mutual bilateral agreement between the two countries would help, either by updating the Øresund Agreement to exclude such clauses, or through a guidance note or directive at the EU level.



Resolving the social security obstacles faced by cross-border workers in the Øresund Region requires a comprehensive and collaborative approach.

**By working together
to find practical and mutually beneficial
solutions, and with the help of b-solutions,
new opportunities will arise for
cross-border workers like Erik and Oliver,
and employers such as Klara.**

9 Annex 4 to the Swedish Act (1996:1512 of 25 November 1996) on double taxation agreements between the Nordic countries.

10 Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, OJ L 166, 30.4.2004, p. 1-123.

11 A new Guidance Note on Telework is in effect as of 1 July 2023, which no longer includes the 100% rule. The new Guidance is available at <https://ec.europa.eu/social/main.jsp?catId=868&langId=en>.

Learning for the future – choosing a school for your children

Choosing the right school for your children is an essential milestone in the life of every parent. In cross-border regions, this task is even more complex because not only is it important to consider the overall reputation, profile, pedagogical concept and size of the school, but questions of language and accessibility also come into play.

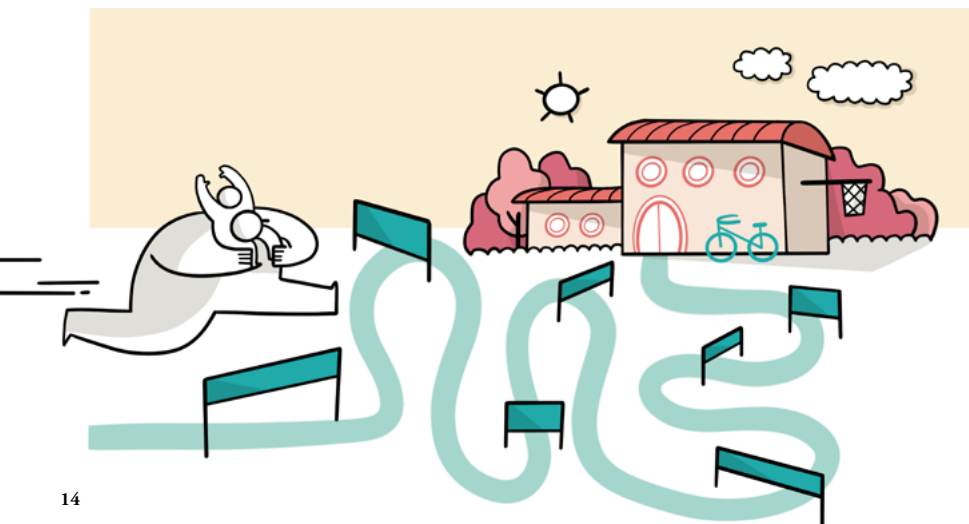
Many multicultural and multilingual families live in the border triangle between Germany, Belgium and the Netherlands. The Krügers are one of them: the father is from the Netherlands and the mother from Germany. After having studied in Maastricht in the Netherlands, they decided to move closer to friends and family in Aachen on the German side when their daughter was born. Their wish was to raise their kids bilingually, speaking to them mostly in German at home and sending them to a Dutch nursery school. In addition, their daughter had some learning difficulties, and the Dutch system provided them with additional lessons and psychosocial support. So it only felt natural to them that their daughter should continue in a Dutch primary school afterwards.



However, national rules often hinder primary school education across borders, reducing some of the language learning options for children. Parents who wish to send their child to a school in a neighbouring country must obtain an exemption from compulsory school attendance in their country of residence. In the case of the Krüger family, the German school authorities did not want to authorise their daughter's attendance at a Dutch school at first, arguing that living in a cross-border region was not enough of a reason to allow an exemption, because the students' integration into German society through language and culture is considered particularly important. The Krügers were asked to provide further evidence explaining their reasons and how they would be able to guarantee their daughter's full integration into German society, or whether they were planning to move back to the Netherlands in the near future.

Although this procedure is understandable to a certain extent because it helps ensure that children learn the language of the country they live in, in cross-border areas the authorities should be more flexible and avoid placing an unnecessary administrative burden on families. In the case of the Dutch-Belgian-German border, language barriers also play an important role, since the mobility flows between the Dutch and Flemish communities are apparently more widely recognised and cause less problems, compared to the mobility of primary school pupils between Belgian-Dutch and German municipalities.

While the right to cross-border education is promoted at the EU level, obstacles to cross-border mobility still arise due to the differences in the national legal frameworks.



Pupils living close to the border not only face the problem of obtaining an exemption in their country of residence if they want to attend a school on the other side of the border, they may also be confronted with long waiting lists, unclear regulations, unbeneficial tax rules or additional financial requirements.

According to Paul Hoelgens, Project manager at EMRLingua – Euregio Meuse-Rhine, “the education authority should not only consider the idea of integration into German society, but rather the idea of European integration and integration into the overall Euregio.” The advantages of a freer choice of schools are manifold: facilitating bilingual education and cultural understanding, which will eventually offer more employment and development options for children and thus ultimately contribute to the economic development of the region.

What solutions could be possible?

The Euregio Meuse-Rhine has therefore raised awareness of cross-border language learning in these past years through the development of trilingual school materials, the creation of a coordination centre dealing with school education, and the promotion of the two quality labels “Euregioschool” and “Euregio Profile School”. They also recommend examining the situation in secondary schools, in which language learning continues to play an important role.



Other possible solutions include:

- Revising regulations on cross-border education in the Land of North Rhine Westphalia in Germany, adapting the legal framework to enable the free choice of schools. This would involve assessing the student’s integration from the perspective of EU regional integration in the border region complementary to their integration.
- Promoting greater cross-border integration in schools, including the quality labels of “Euregioschool” and “Euregio Profile School”, in which 57 primary and secondary schools in the area currently participate.

The Krüger family was eventually granted permission to send their daughter to a Dutch school, given their persistent social and cultural ties to the Dutch side while ensuring their daughter’s social, linguistic and cultural integration as well on the German side. However, with their second child on the way, they are now considering moving back to the Netherlands entirely. **But even if the numbers of pupils attending a primary school in a neighbouring country are still limited at present, there is certainly great potential for the future. This would undoubtedly be beneficial for both language learning and European and regional integration in general.**

The right to die at home – or overcoming the obstacles of cross-border healthcare

Céline's family has always lived in Russange in France, just a few kilometres away from the border with Luxembourg. The Alzette Belval region finds itself at the crossroads of three EU countries (France, Belgium, Luxembourg). It is made up of a dozen small municipalities encompassing about 100,000 inhabitants on both sites of the border, of which 2/3 of the municipalities are located on the sparsely populated French site, while most of the population lives on the Luxembourg site.

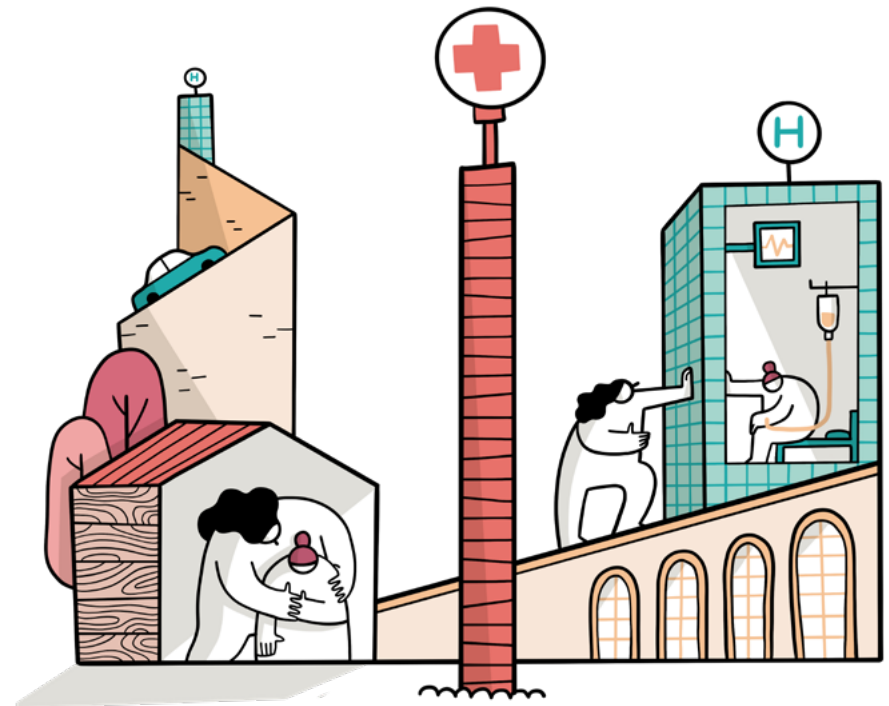
Crossing the border is a daily routine here, not only for workers, but also for anyone wishing to have faster access to all types of services. This includes healthcare. For Céline's family, the closest hospital is only 5 km away in Esch-sur-Alzette on the other side of the border. Her entire family always used this service on a regular basis until the day the border reappeared in their lives! Their mother Pauline went to a check-up examination and the doctors detected final-stage pancreas cancer. The diagnosis was a huge shock for the family, and they were disappointed that the Luxembourg hospital could not offer any palliative treatment at home, which had been Pauline's biggest wish. She did not want to die in a cold, impersonal clinic atmosphere. All she wanted was to be surrounded by friends and family in her final days.

How is it possible that treatment can be suddenly refused on the other side of the border? The "hospital at home" service is frequently used in France, in particular by patients who need palliative care. They can continue treatment at home and will be assisted with all the necessary equipment by a team of nurses and in close consultation with their general practitioner.

However, in Luxembourg, this type of home nursing service is rarely applied. In addition, different terminology and reimbursement codes are used in each country, which means that doctors and nurses do not necessarily have the same understanding of hospitalisation at home or home nursing services. Another difficulty is that as a general rule, Directive 2011/24/EU on Cross-border Healthcare¹² guarantees the full reimbursement of healthcare costs that EU citizens and residents receive in another EU Member State. Yet,

there are certain exemptions in the list of services and treatments that are not the same among the different countries. On top of that, there are exemptions when it comes to long-term care. The Directive only covers prescription of medicines and medical devices, not services. And both the Directive on Cross-border Healthcare (2011/24/EU) and the Regulations on the Coordination of Social Security (883/2004 and 97/2009)¹³ are focused on the mobility of the patient, rather than the professional providing the services.

Céline wanted to avoid all of this hassle for her mother, knowing that she would soon no longer be able to move around and travel to the hospital. So, what are the alternatives? She could try to get treatment in a nearby French hospital; the one in Thionville is a 30-minute drive away and the one in Nancy is about 50 min - 1.5 hours away, depending on the traffic. However, the hospital at home service is usually only provided to those patients who reside in the geographical area covered by the hospital. It also depends on the availability of medical staff, since there is a significant shortage of doctors and nurses in the French region, as many of the general practitioners are above the age of 60 and expected to retire soon.



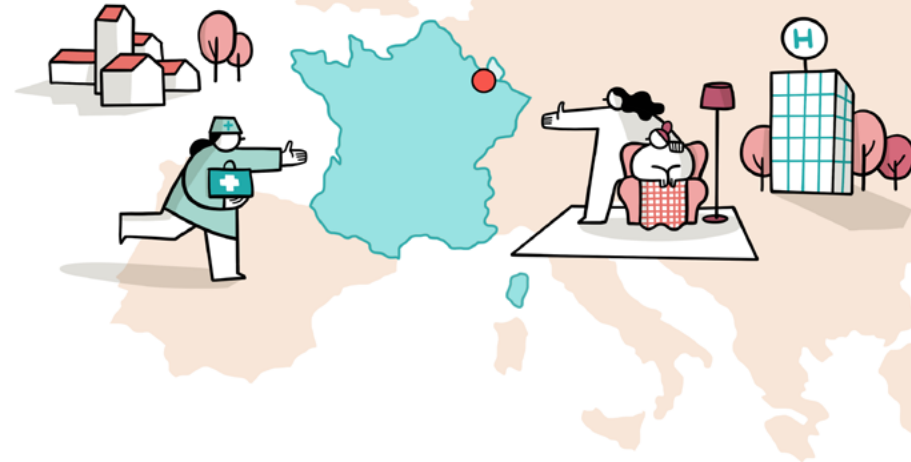


For the hospital in Luxembourg, this problem has existed ever since cross-border cooperation began more than 30 years ago. Doctors even refer to this situation as the “Berlin wall” of cross-border healthcare, since a practical solution is yet to be found. **“This lack of coverage in the area of hospitalisation at home really means losing quality of life, and in some cases even a lost opportunity to save a patient’s life when the treatment comes too late because of the bureaucratic obstacles,”** explains Anissa Torki, Project Manager at the Care Department, Centre Hospitalier Emile Mayrisch. For the doctors, it is frustrating to see that they cannot offer the treatment needed to patients whom they have known for years.

So what are the possible solutions?

- A test case could be brought to court locally to challenge the interpretation of the “hospital at home” service, falling under the exclusion of long-term care under Directive 2011/24/EU.
- Allow for the prescription of cross-border care services under Directive 2011/24/EU rather than limiting the scope to prescriptions for medicines and devices. This would require a bilateral agreement between France and Luxembourg.
- Encouraging the creation of a standardised nomenclature or common reimbursement codes between the two countries to better classify home care services.

Some other regions along the French-Belgian border have already adopted specific agreements to address cross-border care needs through the creation of seven organised cross-border healthcare access zones (ZOAST). It seems that between France and Belgium, all of these questions are easier to resolve, since their health systems are similar and the reimbursement rates of treatments are almost the same.



The European Grouping for Territorial Cooperation (EGTC) Alzette Belval has just presented the proposed solutions to its political members, who decided to transfer them to the Franco-Luxembourgish Intergovernmental Commission.

No matter what decisions are made, for Céline, the solutions have come too late:

“In the end, I had to take care of my mother on my own in her final days. It seems that the borders have been open for a long time, but there are still many impenetrable, incomprehensible and inhuman barriers.”

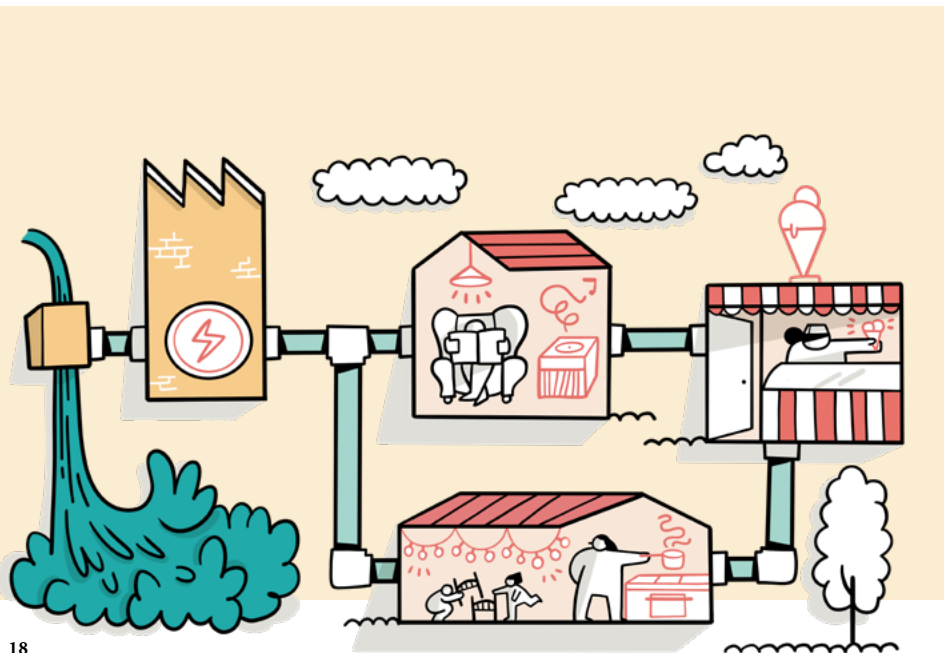
12 Directive (EU) No 2011/24 of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare, OJ L 88, 4.4.2011, p. 45-65.

13 Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, OJ L 166, 30.4.2004, p. 1-123, and Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems, OJ L 284, 30.10.2009, p. 1-42.

Leading a self-sufficient life by producing energy across borders

Wouldn't it be great if we could all be more self-sufficient and produce our own energy, without depending on global gas prices, companies or national policies? This is the dream of many Europeans, especially given the volatility in energy prices due to several recent crises.

Dr. Sabine Rödel is the mayor of Bad Hindelang, a small German town of 5,400 inhabitants in the Alps, located just at the border with Austria in the Euregio via salina. The town is almost self-sufficient when it comes to energy consumption and production, thanks to a 100-year-old citizens' cooperative and a hydroelectric power station. They have been considered energy pioneers for a long time – 30 years ago, the municipality was already thinking about putting solar panels on public buildings.



So, it comes as no surprise that Dr. Rödel suggested another innovative project for the region: investing in two or three wind turbines that could provide communities on both sides of the border with energy. Even though constructing this type of infrastructure is partly forbidden in the protected nature park areas in the Alps, she had identified some pieces of land that would be perfect for this without affecting the environment.

The idea comes at a time when more and more energy communities are being established across Europe. They can be defined as a form of voluntary civic cooperation for energy distribution, in which citizens and local actors (SMEs, municipalities) join together to produce, consume, manage and share renewable energy. The legal framework is regulated through two EU Directives: the Renewable Energy Directive (RED II) 2018/2011¹⁴ and the Internal Electricity Market Directive 2019/944¹⁵. However, despite those EU Directives, the legal framework for cross-border energy communities leaves it up to each Member State to decide whether to include them within their national legislation or not.

So, in theory, setting up wind turbines close to the border is a great idea, but in practice, many legal, technical and administrative obstacles make it almost impossible between Austria and Germany! In the case of Bad Hindelang, neither country has chosen to include cross-border cooperation for energy communities in their national legislation, which results in significant differences in regulations and requirements. This is especially a problem since both countries require participants in an energy community to be residents of the respective country, further hindering cross-border cooperation and energy sharing.

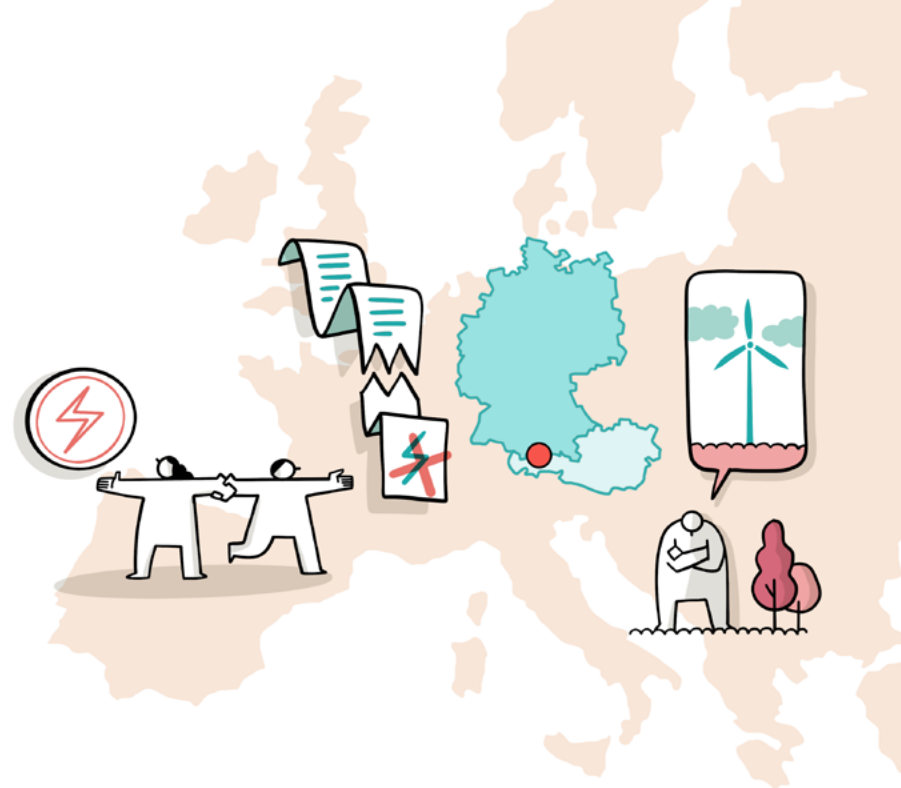
The citizens in the area find it difficult to understand these obstacles. “We live in a region without any language barriers and there are hardly any cultural differences between Austrians and Germans. The political systems are also very similar. In this context, it is surprising that we still have many limitations in our day-to-day work and life due to the borders,” describes Marina Kuhn, Managing Director of the Euregio via salina.

For Ms. Kuhn, the theoretical case of a cross-border energy community is a typical example of the national legislation not considering cross-border situations, and where more awareness-raising is needed at the national level. “Berlin and Vienna sometimes seem too distant and forget about the realities of these cross-border territories.”

**There is a German saying,
“Where there’s a will, there’s a way”,
so if more and more citizens
and local institutions are demanding a
solution for cross-border energy
communities, Member States should find
a way to make this happen.**

Possible solutions include:

- The establishment of clearer rules for cross-border energy communities, including the harmonisation of national legislation (long-term).
- A revision of the EU legal framework in which Member States should include basic provisions for cross-border energy communities (medium-term).
- The establishment of an energy cooperative under cooperative law to allow for the participation of residents from different countries. These could also be done through a European Cooperative Society, as is the case in the Energie 2030 project (short/medium-term).



For the moment, building a cross-border energy community is just wishful thinking. However, despite the existing challenges, several municipalities in the border region have already expressed a strong interest in investing in renewable energy facilities and further exploring joint cross-border financing and ownership arrangements. The best approach would be to start with a pilot project, for which Interreg funding may be available. In any case, all of these solutions will undoubtedly be important steps, whether big or small, towards enabling citizens and communities to produce their own energy, thus contributing to the sustainable energy transition in Europe.

14 Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources, OJ L 328, 21.12.2018, p. 82-209.

15 Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU, OJ L 158, 14.6.2019, p. 125-199.

Off the beaten path... boosting cross-border water tourism along the Danube



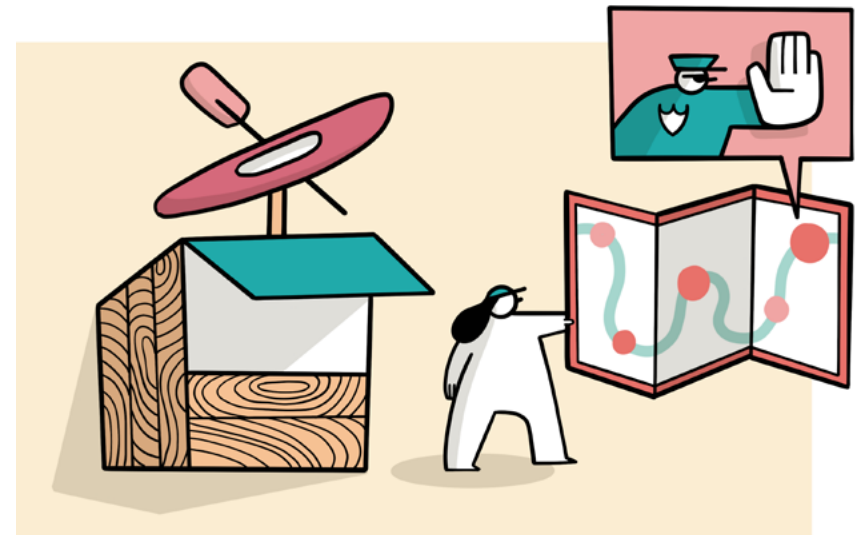
In the heart of the Szigetköz-Csallóköz region, a nature lover's paradise can be found where the Danube River winds its way along Slovakia and Hungary, with hundreds of kilometres of river branches and thousands of islands. The border even seems to disappear at times, since on the Slovakian side of the river, Hungarian is also a commonly spoken language. With a growing active and water tourism industry, this region has the potential to attract adventure seekers from near and afar. There are endless opportunities for cross-border tourism: imagine paddling along peacefully on a rented canoe or kayak on one side of the Danube, and then returning on a rented bike along a cycling path of lush green landscapes on the other side.

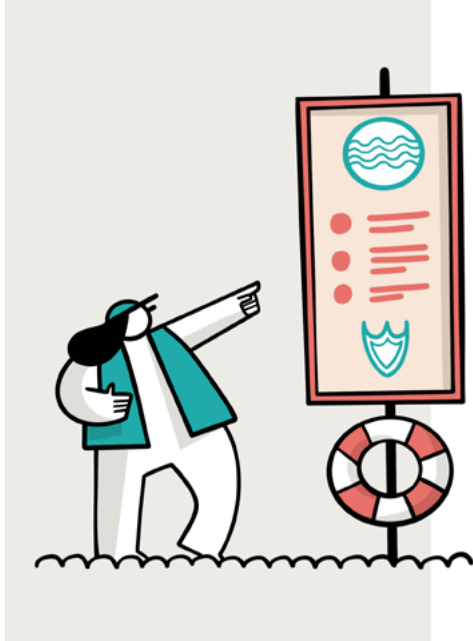
Adriana owns a water sports company on the Slovakian side and leads kayak tours. She takes a group of 15 tourists out on the river, making several stops along the Hungarian side. However, she is not aware that according to Hungarian law, in order to organise a trip with more than 10 people,

she would have to request a permit at the start of the season from the local authorities in Hungary. Since an equivalent permit on the Slovakian side does not exist and she does not speak Hungarian, she is not aware of this requirement. Adriana is stopped by the Hungarian river police and given a warning, and must take the group of tourists back to the Slovakian side.

Despite a thriving cross-border community and the promising boost in tourism on the river and its surroundings, the different national regulations make it difficult to understand how to enforce the rules. This is partly due to the fact that regulations for water tourism in Slovakia are not well known. There are also many more tourism operators on the Hungarian side, and despite their strong interest in organising tours on the Slovakian side, they are not familiar with the rules across the border. In addition, there is little available information in the Slovak language for Slovakian tour operators. Safety is another issue, as the age requirements for using a life jacket or for driving small watercraft are different. These obstacles are preventing the tourism sector from being fully developed.

Zoltán, a representative of the Arrabona EGTC (European Grouping of Territorial Cooperation), the cross-border entity with relevant experience in water tourism and local development, perfectly summed up the root causes of this obstacle: **“The lack of knowledge sharing and lack of understanding of the regulations are preventing this area from becoming a true cross-border tourism success story.”**



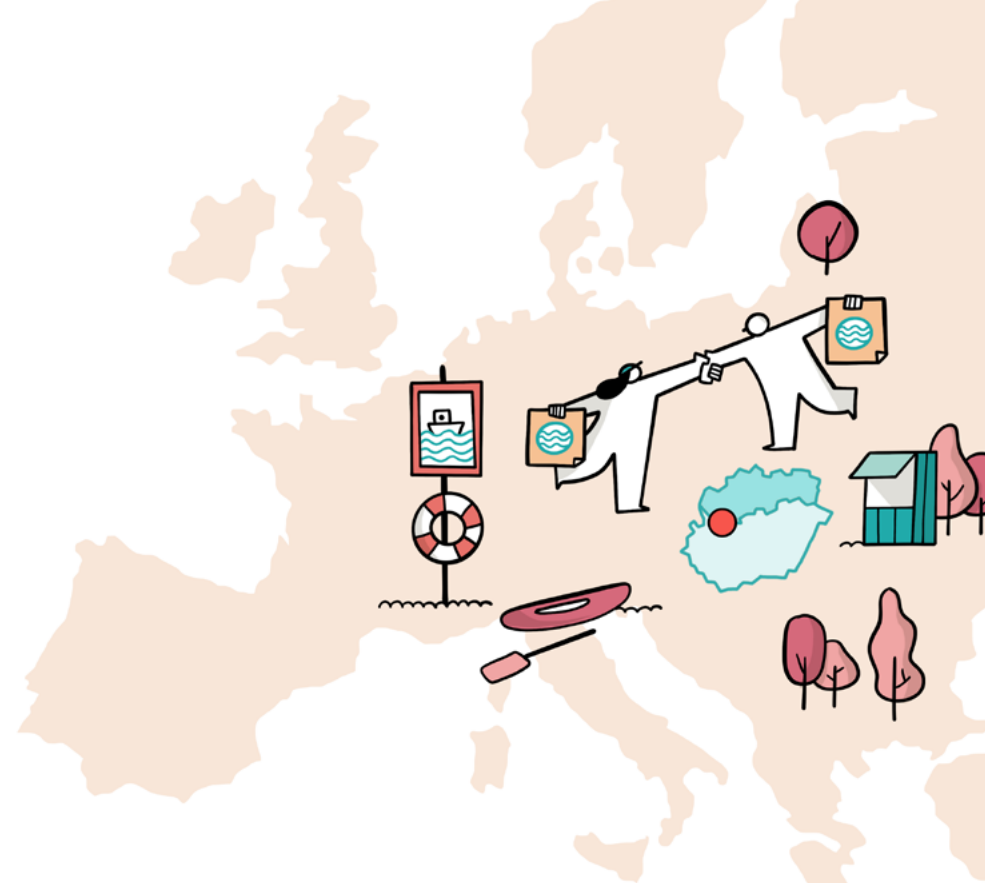


What are some possible solutions?

Harmonisation of the regulations and addressing practical matters is essential, including the development of uniform definitions for all aspects of water tourism. Next, technical and safety parameters of tour operators can be standardised, which would require mutual information sharing and improved coordination. Finally, building on a previous project, the establishment of a joint national park in the Szigetköz-Csallóköz region would help promote local development, nature conservation and eco-tourism.

In addition, the following actions would be instrumental:

- Set up information points with up-to-date information from local authorities.
- Establish regular contact between authorities from each side of the border, including the organisation of workshops and meetings.
- Harmonise the national training systems to create a unified training path for tour guides.
- Create a 'one-stop shop' to develop common procedures for water tourism management.
- Facilitate a permanent permit and rating system for water tourism businesses, providing support to SMEs to foster local development.
- A European legal tool enabling local actors to apply tailor-made solutions would also be helpful.



Looking to the future, the plan is to further develop local cross-border active tourism services, starting with a workshop on training in this sector, with the aim of engaging public authorities and the local business sector in both countries. With cooperation already established between many of the local communities and tour operators in this region, better knowledge sharing and exchanges can lead the way to a thriving active tourism industry. Tour operators like Adriana would therefore have more information at their disposal to lead tours confidently and safely on both sides of the river. This could even serve as a good practice to be replicated in other areas:

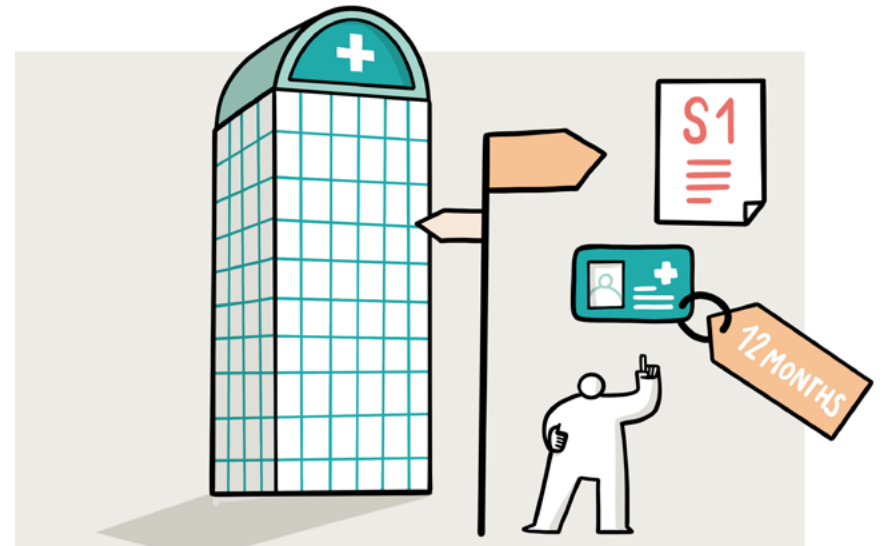
“If we achieve something important for the waterways in our region, perhaps another border area can harness the outcomes and follow our example,”

explains Zoltán from the Arrabona EGTC.

Overcoming barriers to healthcare for cross-border workers

There has been a great deal of interaction between residents and authorities in the area between Extremadura in Spain and Alentejo in Portugal in recent years, sparking a mutual interest in one another's culture, language and employment opportunities. Thanks to the fluidity of the local labour markets, many people commute to work every day on the other side of the border. People who live in one country but work in another, as well as their family members, are entitled to medical care in their country of residence.

André is Portuguese and has lived in Badajoz, Spain, for many years with his Spanish wife and child. He was working in a warehouse across the border in Portugal, just 20 minutes away, but suddenly lost his job when the business closed down. Luckily, he found work in another warehouse in the same town across the border. In order to remain covered by his health insurance



in his country of residence, he requested renewal of the insurance through a specific form for cross-border workers (the so-called S1), which expires each year. Since it takes several weeks to process the paperwork, André and his family had to go without health insurance coverage for a month, leaving them vulnerable during that time.

André describes the frustration of this waiting period: “Without a health card, we can't have electronic or long-term prescriptions. When the S1 form expires, we lose our family doctor and we only have access to emergency care until it is renewed.”

This is a common problem for Spanish residents who work in Portugal and who have opted to be covered by the Spanish health care system. An administrative obstacle is causing a lapse in health care coverage for these individuals. The S1 form, which allows cross-border workers to receive public health insurance in their country of residence, expires every 12 months and renewal can only be requested once it expires. The delay in coordination between the health authorities to renew coverage leads to a gap of 15-30 days. During this period, individuals may choose to pay for healthcare out-of-pocket and request reimbursement afterwards or choose private insurance. The problem is that upfront costs can be a barrier to some people, and there is also a risk of not being fully reimbursed, as costs are not always fully reimbursed between EU countries due to differences in healthcare nomenclature and prices.



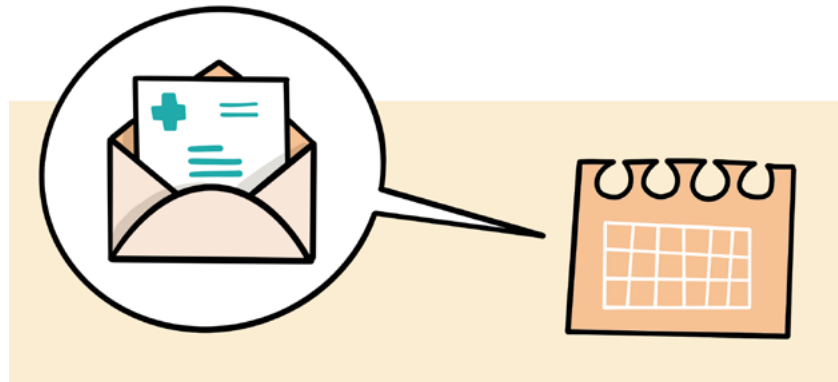
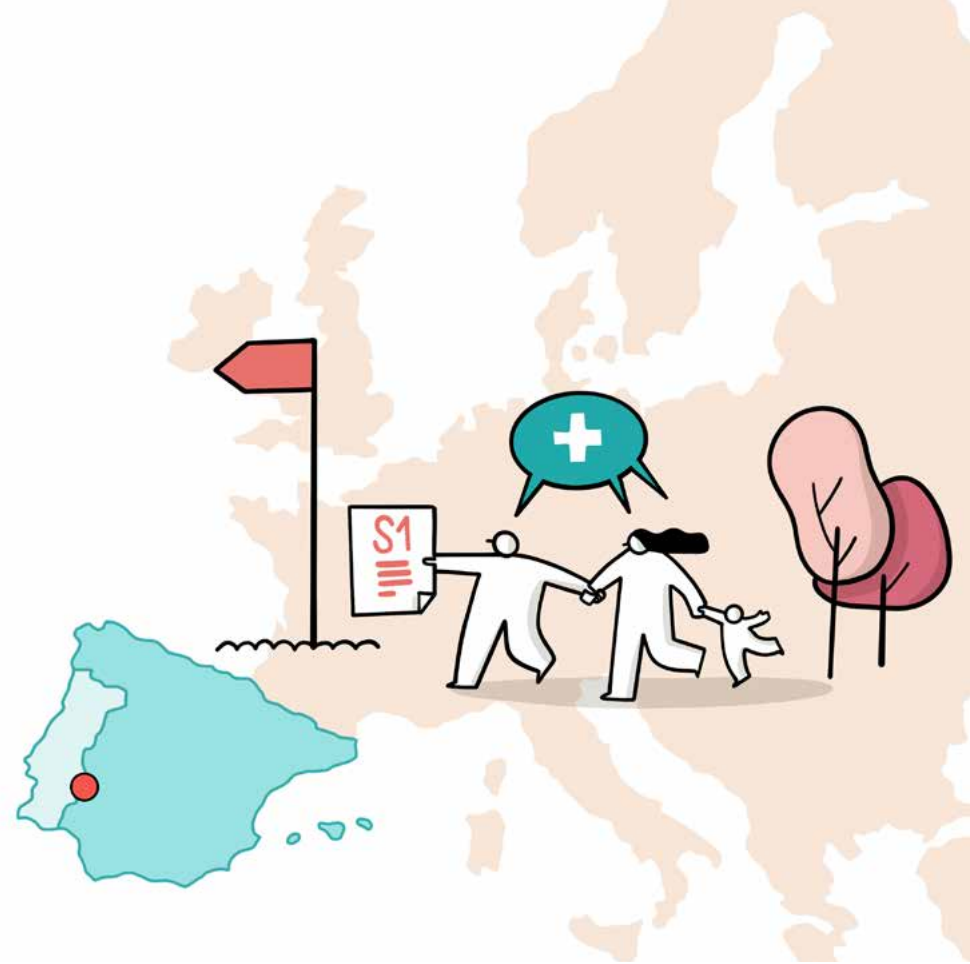
This situation may result in the restriction of access to healthcare for cross-border commuters, since for a few weeks per year they do not have access to public healthcare, which can be a significant barrier to the free movement of workers.

What solutions exist to overcome this issue?

In the short term, better communication and coordination between the health authorities of Spain and Portugal is needed to avoid a lapse in time between the expiration and renewal of the S1 form. To this end, the documentation would be sent to the respective health authority before the form expires to allow for enough time to renew it.

Greater awareness raising is necessary to give visibility to this issue and promote the exchange of good practices. A strong communication and awareness campaign could inform workers, self-employed persons and even companies. Ana from the Office for Cross-Border Initiatives, Regional Government of Extremadura in Spain, confirms this need for greater awareness: **“It is essential that people are aware of their rights and duties with regard to health benefits when working across the border.”**

The Spanish Ministry for Labour and Social Affairs is currently drafting a ‘Cross-Border Worker Statute’ to serve as an important informational tool for both workers and employers.



In the long term, solutions that are sustainable over time will be essential. For example, linking the validity period of the S1 form to the duration of the employment contract, rather than the current 12-month expiration date. Streamlined digitalised coordination between health authorities would also be more efficient, such as a mobile cross-border health card.

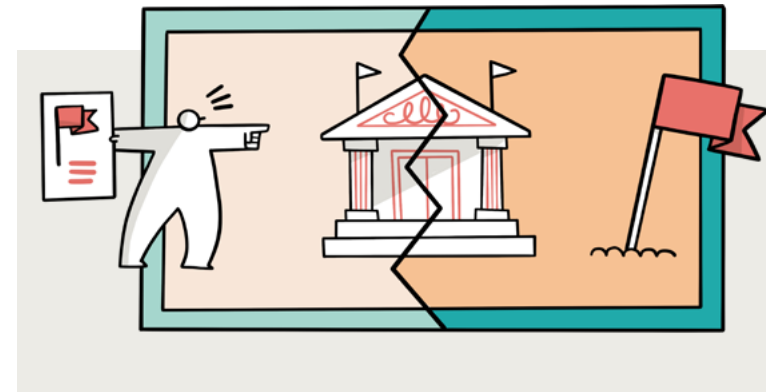
Ana from the Office for Cross-Border Initiatives is determined and hopeful that the solutions will work:

“I know that everyone is very keen to fix this issue, and we are going to raise awareness of it and bring it to the attention of other cross-border cooperation authorities.”

Resolving this obstacle would make it possible to increase opportunities for economic growth, job creation and improved quality of life for people like Andre and his family along the entire Spanish-Portuguese border.

Youth beyond borders

Marco is currently attending the third year of a hospitality vocational high school course in Trieste, Italy. His dream is to live and work in a mountain region one day, since he loves skiing and hiking. He is also eager to work abroad. So, when he was asked to apply for a 3-month traineeship as part of his educational curriculum, his first choice was a hotel in the neighbouring border region of Carinthia, Austria – a popular tourism destination known for its incredible hiking routes and ski resorts. This would also be a great opportunity to improve his German and gain professional experience in a different country at the same time. The school had already found a hotel that was interested in hosting Marco for the traineeship, but when it was time to sign the contract, **several unanswered questions as well as legal and administrative obstacles got in the way.**



The underlying problem is that there are differences in the school and labour systems in both countries, which also lead to differences in the training and apprenticeship pathways, as well as the National Qualification Frameworks (NQF) and national legislation. For example, there are regulated professions in Austria that do not exist in the Italian professional qualifications system and vice-versa. In Austria, apprenticeships require a minimum of nine years of school and can only be carried out in certain professions, while in Italy compulsory school education is ten years, but there are no limitations on professions.

At the EU level, Directive 2005/36/EC¹⁶ lays the foundations for recognising regulated professions but does not address non-regulated professions. In addition, only certain regulated professions are considered comparable among Member States. Thus, qualifications and training paths for apprenticeships and traineeships for non-regulated and non-comparable professions are determined by each Member State.

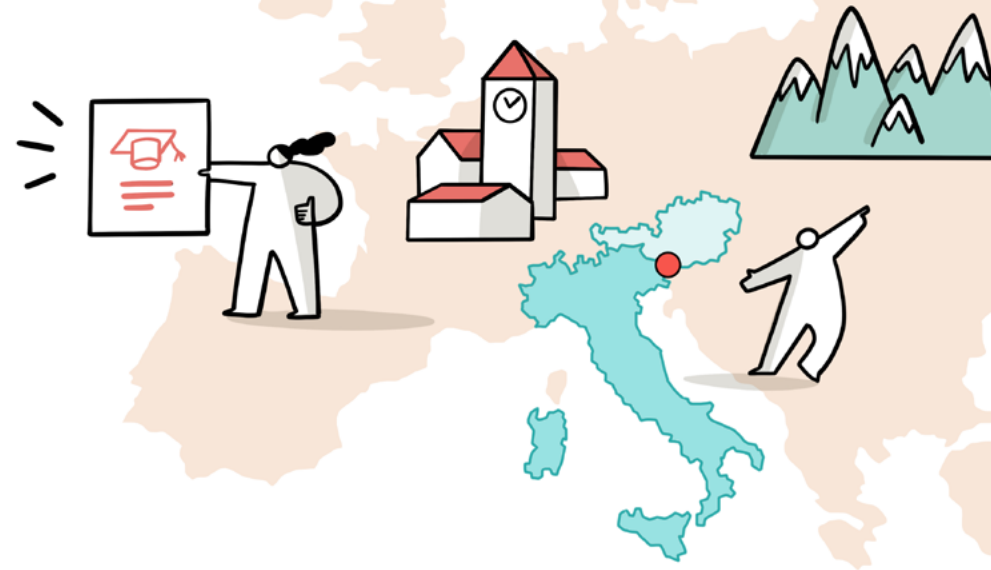
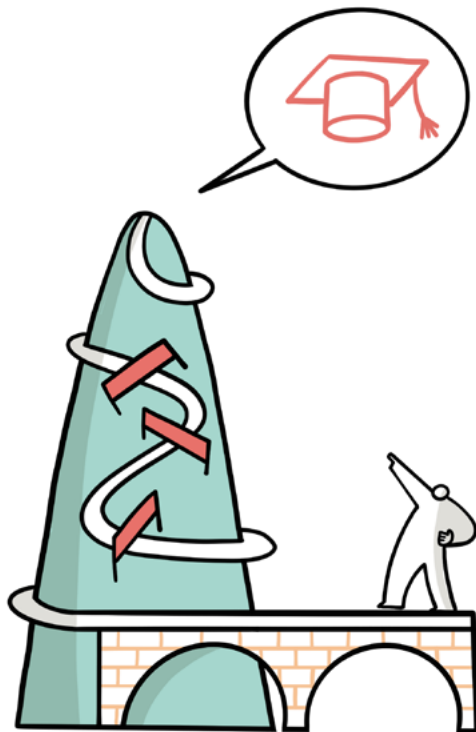
The challenge therefore is to harmonise qualifications to better facilitate cross-border educational and professional exchanges.

Another challenge for Marco was the language barrier. The hotel required all trainees to be fluent in German from the start, providing no option to take language courses during their traineeship. Furthermore, there were numerous unresolved questions around his insurance coverage and possible reimbursements.

What possible solutions exist:

- At the EU level, Directive 2005/36/EC should be revised with regard to the recognition of professional qualifications.
- At the national level, it would be helpful if the two countries could find a way to harmonise the compulsory school periods and duration, perhaps starting with exceptions for the unique situation of border regions.
- Framework agreements could be established between vocational training centres or other institutions involved, implementing agreements for each specific traineeship area.
- An exception could be made to the national laws in the countries for students and apprentices in border regions.

Until recently, the cross-border Interreg project SCET NET – Without Borders Education and Training Network – was working towards better coordination of the regulatory training framework for students over the age of 16 in the cross-border region between Austria and Italy. The aim was to mutually recognise professional skills and adopt common, replicable and sustainable organisational practices in the cross-border economic context of the partner regions.



At present, the European Grouping of Territorial Cooperation Euregio Senza Confini between the regions Friuli-Venezia Giulia, Veneto and Carinthia will build on the experience of the SCET NET project. In 2022, they signed a memorandum of understanding together with the Chambers of Commerce on both sides of the border and the Carinthian regional education authority to continue cooperation in the creation of cross-border training paths, and to create an online platform to better match companies with students from both sides of the border.

In the meantime, Marco has signed up for a German course and decided to do his traineeship in Italy to avoid the administrative hassle. Yet he has not given up on his dream to live and work in the nearby Austrian mountains in the near future.

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To learn more

To learn more, in the context of *b-solutions*, additional publications are available including another story-telling publication, three compendium showcasing summaries of cases and three thematic publications with analysis of obstacles and solutions. These are available at <https://www.b-solutionsproject.com/>.

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GETTING IN TOUCH WITH AEBR

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Living in a cross-border region is still a source of challenges today. Nine stories are presented in this publication to showcase the realities of people experiencing border obstacles and ways to facilitate cross-border solutions throughout Europe.

To know more, *b-solutions: Solving Border Obstacles: A Compendium 2022-2023* provides details and insights on the legal framework of these nine cases and many more collected in the last two years within the *b-solutions* initiative by the European Commission and the Association of European Border Regions.

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