

19th May 2015



Preparation of the Luxembourgish Presidency of the EU Council

Cross-border Cooperation: Obstacles to Overcome



SUMMARY

- 1. Context: obstacles to overcome..... 3**
- 2. Methodology: questionnaire 5**
 - QUESTIONNAIRE STRUCTURE 5
 - QUESTIONNAIRE RECIPIENTS 6
 - REPLIES..... 6
 - BUILDING A TYPOLOGY OF OBSTACLES..... 8
- 3. Results: selection of main topics 10**
 - LACK OF COMPATIBILITY OF NATIONAL HEALTHCARE SYSTEMS IN CROSS-BORDER AREAS..... 10
 - IMPOSSIBLE IMPLEMENTATION OF CROSS-BORDER PROJECTS BECAUSE OF DIFFERENT LEGAL FRAMES 14
 - LACK OF LEGAL CERTAINTY FOR CROSS-BORDER FACILITIES AND SHARED SERVICES . 16
 - DIFFERENTIATED ECONOMIC DEVELOPMENT ALONG THE BORDER, DUE TO DIFFERENT NATIONAL FRAMEWORK CONDITIONS 18
 - DIFFICULT FINANCING OF SMALL-SCALE CROSS-BORDER PROJECTS IMPLYING A STATE AND A LOCAL AUTHORITY FROM ANOTHER MEMBER STATE 20
 - DIFFICULT CROSS-BORDER ECONOMIC DEVELOPMENT OF EUROPEAN OUTERMOST REGIONS BECAUSE OF EU STANDARDS 21
- 4. Recommendations: European legal tool 24**
 - OBSTACLES TO OVERCOME WITH OTHER ACTIONS THAN A EUROPEAN LEGAL TOOL..... 24
 - DRAFTING A EUROPEAN LEGAL TOOL 25
 - ISSUES FACED BY A EUROPEAN LEGAL TOOL 26
- 5. Conclusion..... 29**
- 6. Annexes 31**

1. CONTEXT: OBSTACLES TO OVERCOME

As part of the preparation for its presidency of the EU Council (second half of 2015), on 19 May 2015 the Grand Duchy of Luxembourg is holding a seminar devoted to the obstacles to cross-border cooperation and the tools and policies envisaged to remove these obstacles. The Mission Opérationnelle Transfrontalière (MOT) has been commissioned by the Grand Duchy to provide support in the preparation of this seminar.

For years, countries within Europe have politically cooperated, carried out actions of cross-border cooperation and implemented cross-border projects. At the EU level, INTERREG programs and European territorial cooperation exist since 1990. Very positive progress was made, considering all the projects achieved. However, the results are still not sufficient. Whereas cross border regions are acknowledged as laboratories for the objective of territorial cohesion, included in the EU Treaty since 2007, cross-border development is still hampered by obstacles. According to EU objectives, such obstacles should not exist within the EU. Overcoming them appears then to be more important than ever, in order to unleash a strong cross-border development potential. That is why the Grand Duchy of Luxembourg has placed cross-border cooperation serving European integration and territorial cohesion at the heart of its priorities for its EU Council presidency.

Many local initiatives have been taken within functional cross border territories (Euroregions), where integration already happens, with the political support of stakeholder organizations (AEBR, MOT,...), and the legal support of the Council of Europe (Madrid Convention, 1980, implemented through multi-national agreements) and later of the EU (EGTC regulation, 2006). The goal of the EU is integration: ever closer Union (art. 1 of the Treaty on European Union – TEU); free movement; economic, social and territorial cohesion; economic and monetary Union (art. 3 TEU); internal market without internal frontiers (at 26 of the Treaty on the Functioning of the European Union – TFEU); particular attention to cross border regions (art. 174 TFEU). If we wish to continue to strengthen this functional and citizen-oriented integration, a quantitative leap needs to be made in the regions that underpin it: cross-border territories. This is therefore an opportunity to engage in genuine joint reflection aimed at identifying the different obstacles that hamper cooperation.

Within the intergovernmental process (Territorial Agenda 2020), the Grand Duchy of Luxembourg now wants to promote territorial cohesion through a European legal tool post 2020 and cross-border polycentric metropolitan regions.

Where are we so far? Many experiments haven't waited the EU: local cross-border shared services, cooperation in some parts of Europe (Benelux, Nordic Council...). The Council of Europe has adopted resolutions and developed studies¹.

Macro regional strategies developed by the European Commission at the request of the Council have raised awareness on the fact that EU legislation and EU funding are not enough to deliver transnational integration. Furthermore, EU legislation is often transposed without interoperability across borders, strategies and funding are not aligned, and vertical and horizontal coordination is required. Finally, it appears also important to underline the importance of a legal tool applied to all European borders: internal and external. If European integration makes efforts easier within the Union, border areas located next to third countries have to be taken into account, either in Europe or outside the European continent (maritime and land borders of European outermost regions).

¹ see inter alii the Resolution of the Congress of local and regional authorities: "Prospects for effective transfrontier cooperation in Europe", approved on 31 October 2013; Manual on removing cross border cooperation obstacles, developed by ISIG:2013; the latter being based on the questionnaires distributed by the COE Committee of experts on local and regional government institutions and cooperation, 2011.

2. METHODOLOGY: QUESTIONNAIRE

In order to constitute an up-to-date knowledge of obstacles to cross-border cooperation projects, a questionnaire was produced by the MOT, and sent to cross-border cooperation stakeholders.

QUESTIONNAIRE STRUCTURE

The questionnaire had the following structure:

I. General information

I.1. Countries (and administrative subdivisions) concerned:

I.2. Type of territory (please tick one or more boxes):

- I.2.1. Urban or urban-rural
- I.2.2. Rural or mountainous area
- I.2.3. Maritime area

I.3. Topic concerned:

II. Obstacles to overcome

Describe a situation that constitutes a legal obstacle to cross-border cooperation between public or private players, or a legal obstacle to a cross-border aspect of the lives of the citizens or businesses in border regions.

II.1. How precisely does this obstacle manifest itself?

II.2. What are the causes of the problem?

II.3. Who is particularly affected by the problem?

III. Standard(s) concerned

Cite the laws, regulations or administrative procedures that are problematic, if relevant:

IV. Objective to be achieved and proposed solutions to do so

IV.1. Describe the desired final situation once the obstacle has been removed:

IV.2. Describe the new measures proposed to achieve this goal:

IV.3. Actions already taken or underway to overcome the obstacle

IV.4. Timetable for implementation

IV.5. Evaluation of the proposed solution

QUESTIONNAIRE RECIPIENTS

The questionnaire was sent to the following institutions:

- ≡ MOT's network

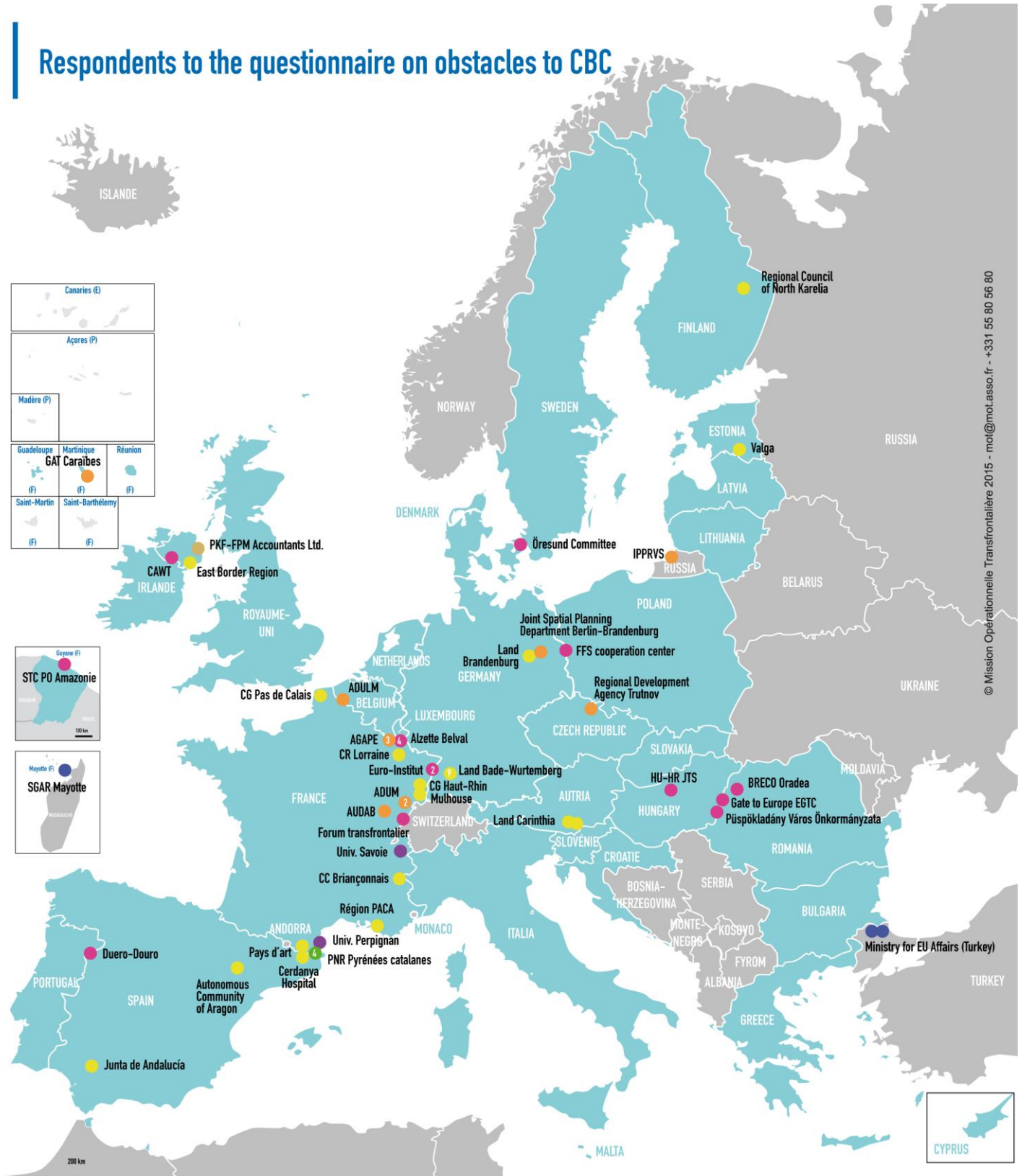
- ≡ EuropeanPartners :
 - ≡ AEBR
 - ≡ BBR (German Federal Office for Building and Regional Planning)
 - ≡ Benelux
 - ≡ The Budapest Platform
 - ≡ Centrope
 - ≡ CESCO (Hungary)
 - ≡ City Twins
 - ≡ Cross-border Cooperation Centre (Frankfurt-Słubice – DE/PL)
 - ≡ The EGTC Platform (Comity of the regions)
 - ≡ Euroregio PL-CZ
 - ≡ ISIG
 - ≡ Nordic Council
 - ≡ Öresundskomiteen
 - ≡ RIET
 - ≡ TEIN
 - ≡ Other local authorities (Görlitz, ...)

- ≡ European Programs: Managing authorities of cross-border programs, consulted through INTERACT Point of Vienna.

REPLIES

The following map shows the geographical distribution of answers received by the MOT.

Respondents to the questionnaire on obstacles to CBC



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Type of respondent

- State
- Local authority
- Natural park
- Urban planning/regional development agency or chamber of commerce
- University or training center
- Consultant
- Cross-border structure (of which EGTC and Operational programme)

4 Number of questionnaires completed by respondent

Member state of the European Union

Non Member state of the European Union

BUILDING A TYPOLOGY OF OBSTACLES

Possible typology of CBC obstacles

When considering obstacles to cross-border cooperation, typologies can be made, which can involve:

- ≡ The topic of the obstacle (thematic: health, employment, transport, ...);
- ≡ The nature of the obstacle: for instance, the ISIG study classifies it by institutional, administrative, economic, expertise, cultural, or propensity to cooperate;
- ≡ The territorial level of the obstacle (from local to EU).

The various answers collected by the MOT through its survey show a great interest in the matter, and the need to elaborate responses at the different levels (on each border; at national level; at European level). For this report aiming at preparing the Luxembourgish presidency of the EU Council, with its focus on a possible EU legal instrument, the MOT has concentrated on a typology of legal solutions.

Possible typology of legal solutions provided by a European legal tool to overcome cross-border obstacles

The following typology aims at considering solutions to solve cross-border obstacles, which could be sometimes implemented with a new European legal tool:

- ≡ Ensure the compatibility of two or more national systems without any additional law

Ensuring the compatibility of national systems leads in this case to solutions where no additional law is created, but a solution is found, which allows to combine the existence of two or more different laws, in order to manage a specific cross-border project. Typically, like the convention of an EGTC, a convention, concluded in the framework of a European regulation, could determine which existing law may apply to:

- ≡ a specific cross-border area (about a specific issue);
- ≡ a specific project (inducing a time limit);
- ≡ the running of a cross-border facility/shared service.

- ≡ Bring a new legal solution to apply the same law on each side of the border (one national or even European frame about a specific issue).

A legal tool is defined, allowing to use an already existing law but not the one applying on a specific cross-border project (for instance using law of country A in country B, only for the considered project).

- ≡ Bring legal certainty to existing ad hoc solutions.

Some cross-border projects have found arrangements and ad hoc solutions to their legal problems. However, these solutions are not provided for in European or national laws. There is then a need to find a solution to provide legal certainty to ad hoc adopted solutions, both to maintain solutions if there is a change of person and to ensure project safety in front of courts if legal action is taken. A European tool could allow involved stakeholders and member states to make an agreement to provide legal certainty to existing ad hoc solutions.

- ≡ Relax European rules (outermost regions with third states).

Specific waivers from ordinary European law can apply to European outermost regions on the basis of article 349 of the TFEU. To implement these waivers, a specific legislation has to be proposed by the Commission and adopted by the EU Council (after consultation of the European Parliament). But specific situation of outermost regions is not always taken in consideration, whereas local authorities

there precisely know and could be at the origin of specific derogations to implement when conducting cross-border cooperation projects. A solution could be found between local and regional authorities involved, with the concerned member state and the EU, possibly also with a third state involved (if relevant). A European legal tool could provide for a relevant specific procedure, allowing local or regional authorities to take initiative.

Overcoming cross-border cooperation obstacles besides a legal tool

Finally, it is obvious that every obstacle will not find its solutions in a European legal tool. Action may also be taken to improve existing European legislation or to create new rules within EU competency, with cross-border issues better taken into account. When it is within EU competency, local cross-border authorities could ask the EU for a new regulation, possibly tested as experimentation by these authorities (with prior approval of member states involved). A directive could also be tested this way, with prior approval and involvement of member state. Finally, a special effort should be made to ensure that national measures taken for the transposition of directives are compatible for cross-border cooperation projects.

3. RESULTS: SELECTION OF MAIN TOPICS

Based upon questionnaires' results, the following analysis aims at presenting the obstacles, which most likely require to be overcome with a new EU legal tool. Therefore, presented obstacles are legal ones. They illustrate different topics to help elaborating detailed terms of reference for this tool. The first topic, cross-border healthcare, was the strongest recurring one. The others obstacles presented are rather grouped according their nature (different legal frames, lack of legal certainty, distortion of national framework conditions, EU standards in outermost regions).

For further information about obstacles that can be solved at local or national level, and for which a European new legal tool does not seem necessary, please see below, section 4.

LACK OF COMPATIBILITY OF NATIONAL HEALTHCARE SYSTEMS IN CROSS-BORDER AREAS

Healthcare was the strongest recurring topic in the replies received by the MOT: 9 different questionnaires were directly mentioning it.

Concerned cross-border areas

- ≡ At the border between **Germany and Poland**, the *Land of Brandenburg* and the *Frankfurt-Slubicer Kooperationszentrum* mention the impossibility to organize cross-border healthcare services, either for emergency medical services, diagnosis, surgery or therapy. Besides the regime of the European Health Insurance Card (EHIC) for emergency cases, the catchment areas for healthcare services can only include national needs and are planned regardless of cross-border area. Moreover, Polish healthcare providers are not allowed to contract with German and Polish insurances at the same time. The differences in the tariffication of health cares and in the reimbursement rules explain the difficulty to cooperate.
- ≡ At the land border between **Ireland and the United Kingdom (Northern Ireland)**, the *CAWT (Cooperation And Working Together, partnership between the Health and Social Care Services in Northern Ireland and Ireland, which facilitates cross-border collaborative working in health and social care)* insists on the difficulties for healthcare professionals, who wish to work in more than one jurisdiction, to implement the administrative work to have dual registration. Not only the clinicians are affected, but also patients who wish to receive a service in more than one jurisdiction. The two very distinct health services explain this administrative difficulty for healthcare professionals and patients: even if dual registration is legally possible, its implementation is complicated.
- ≡ At the border between **Germany and France**, the *Ministry of State of Baden-Württemberg* and the *Euro-Institute (Institute for cross-border cooperation)* explain that stronger cross-

border cooperation in healthcare is searched by many of public actors, but difficult to implement.

- ≡ A framework agreement was signed between the two countries, allowing healthcare providers to conclude cooperation agreements. However, in France, only the Regional Agencies of Health (state administration) can conclude such agreements, whereas in Germany all providers are allowed to do so (including hospitals, insurances, professional chambers). It creates an asymmetry in potential partnerships.
 - ≡ Furthermore, the replies explain that the mandatory prior authorization mechanism governing the reimbursement of healthcare services scheduled in an other member state, being positive within the whole EU, is an obstacle in cross-border areas to the mobility of patients.
 - ≡ In addition, patients do not have enough information about cross-border possibilities for their treatments, the reimbursement rate cannot be estimated by the insurance before the care is done in the other country, and the reimbursement process can take up to eight weeks.
 - ≡ Finally, public actors mention that healthcare planning documents should be able to incorporate a cross-border section, with the needs of inhabitants living on the other side of the border and the possibility to treat them in a cross-border way. Obviously, these documents should be planned in cooperation with all competent authorities involved on the other side of the border.
- ≡ At the border between **France and Luxembourg**, the *EGTC Alzette-Belval* insists on two dimensions:
- ≡ Emergency cares are not possible across the border: emergencies are planned nationally, regardless of possibilities on the other side of the border. However, hospitals can be closer abroad than in the considered country. In some cases, French inhabitants are especially closer to Luxembourgish hospitals than French ones (10 km/25 km). In emergency situations like strokes or heart attacks, patients have to be treated very quickly, but possibilities across the border are not taken in account.
 - ≡ Inhabitants, especially those who are not cross-border commuters, have difficulties to get treatments on the other side of the border, because they often cannot afford the necessary advance on the cost of cares, before they get reimbursed by their insurance (no cross-border third-party payment system).

Obstacles encountered

The obstacles encountered can be summarized in four points:

- ≡ Health cares are planned nationally, regardless of existing supply and demand on the other side of the border. Equipments capacity could be then not adapted to real demand, or, on the contrary, would not take in consideration potential cross-border pooling of resources. Of all cares, emergency ones would benefit of faster possibilities on the other side of the border to save lives, but cannot be implemented due to a lack of administrative coordination;
- ≡ Patients of border areas sometimes have to go far away in their state to get scheduled treatments available closer on the other side of the border;
- ≡ Complex administrative work for clinicians of border zones, who have to deal with two different jurisdictions, if they want to work in more than one;
- ≡ Complex administrative procedure for patients for accessing health care system on the other side of the border (prior medical authorization, reimbursement delay), which is preventing them to do so.

Desired final situation

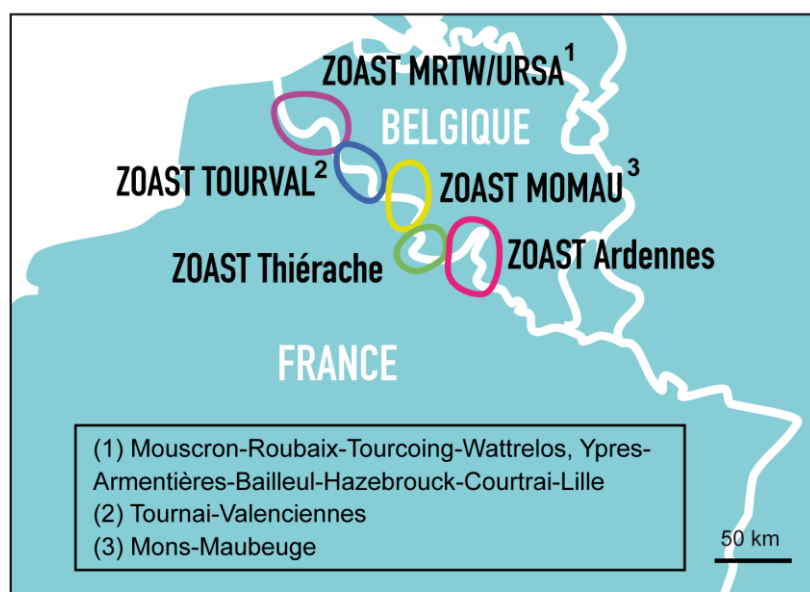
Once the considered obstacles overcome, the final situation would be granting the possibility to European citizens living in a border area to easily get health care on each side of the border, for emergency cares and scheduled treatments, regardless of the border and to ensure efficiency of cares. It implies simplified administrative processes for health practitioners and patients with insurances. It also implies an identical coverage of cross-border and national cares, thus a coordination with public and private insurance companies.

One example: the French-Belgian “ZOAST” or “Organized Zones of Access to Cross-Border Healthcare”

Fortunately, the desired final situation is very similar to the “ZOAST”, or “Organized Zones of Access to Cross-Border Healthcare”, that exist at the border between Belgium and France. This example of advanced cross-border cooperation in healthcare sets out a framework to use elsewhere within the EU.

The “ZOAST” are inspired by the pilot project “Transcards” launched in 2000. This pilot project, which related to the populations of the Thiérache region (France) and the area around Chimay (Belgium), enabled the inhabitants to retain their social security rights when they traveled over the border. It was based on an agreement to extend social security coverage between France and Belgium.

A framework agreement on cooperation in healthcare was signed in 2005 between the two member states and was adopted in 2011. It gives healthcare cooperation a stable legal framework by simplifying administrative procedures and ensuring that the border populations have continuity in terms of access to healthcare, agreements by zone (“ZOAST”) enable the population concerned to go to a hospital on the other side of the border without prior medical authorization and to receive inpatient and/or outpatient treatment there. The chargeability costs of care received is calculated according to national current rules of the member state where care is provided. The third-party payer is an insurance of the country where care is provided (usual procedure for the hospital), which get reimbursed by the patient insurance later (with an administrative procedure invisible either to the patient or to the hospital).



The ZOAST, created with agreements on local cross-border areas, imply a strong cooperation between competent national or regional authorities, public health insurance and all other third-party payers. The successful example of the five existing ZOAST shows that this cooperation is possible. It is important to underline the role of the French-Belgian Health Observatory in the concertation (Observatoire franco-belge de la santé – OFBS – which is a European Economic Interest Grouping (EEIG), brings together nearly 60 participants (health insurance and healthcare players, healthcare facilities, health observers, etc.), and is the lead partner in many healthcare cooperation projects).

Generalizing the “ZOAST” tool within the EU

Today, the “ZOAST” tool is only possible between areas in France and Belgium, on the basis of a French-Belgian framework agreement.

Basically, the process is comparable to the creation of a “GLCT/EVTZ” (Grouping of Local Cross-border Cooperation), tool which exists for local authorities at borders between Germany, France, Switzerland, Luxembourg and Belgium. The GLCT/EVTZ tool was created by frameworks agreements between states (within the Madrid Outline Convention: Karlsruhe agreement of 23 January 1996 and Brussels agreement of 16 September 2002). To create a GLCT/EVTZ, the concerned local authorities follow the process laid down by the framework agreement, and adopt a specific convention. The GLCT/EVTZ cannot be implemented on a border whether one of the states concerned hasn't ratified the framework convention.

In contrast, the EGTC is a tool regulated at EU level (regulation 1082/2006 amended by regulation 1302/2013). It can be implemented within the framework given by EU regulation and does not require any other framework convention within the states (which is a long process of negotiation, signature and ratification).

It appears then interesting to think about a new European legal tool, similar to the Belgian-French “ZOAST”, which could be easily implemented within the EU, on a voluntary basis and within the framework of a European regulation.

IMPOSSIBLE IMPLEMENTATION OF CROSS-BORDER PROJECTS BECAUSE OF DIFFERENT LEGAL FRAMES

Some replies, directly linked to cross border urban development or cooperation between local authorities, were mentioning obstacles of different kind, but all due to the differences existing between national legal frames.

Concerned cross-border areas

- ≡ At the border between **Estonia and Latvia**, the *cities of Valga and Valka* used to be one town, “Walk”, until 1920 and the creation of the state border. Walk is already mentioned in 1286, in Riga’s debt book, and was given town rights in 1584. The local authorities express today their common will of developing as “one city”, i.e. to have joint town planning and development in every sphere. They especially mention issues of transportation, healthcare and environment (common gestion of cross-border river Pedeli), but they do not specify more. Today the two different national systems are seen as a problem to achieve this common development; legal obstacles are important and cannot be solved only by an EGTC, which operates only with applicable law of each country. Only an international agreement between the two member states could solve this, but it would be long to implement, not on the initiative of local authorities and not a very flexible solution.

- ≡ At the maritime border between **France and the United Kingdom** (Strait of Dover), the *Pas-de-Calais Department* describes a problem of application of law linked with civil security forces at sea. Theoretically speaking, there is no legal possibility for French firefighters to extinguish vessel fires in UK waters and vice versa. Similarly, firefighters located in the Pas-de-Calais Department are not supposed to respond to accidents at sea, even if they are trained for this, because the competence belongs to the navy fire departement of Cherbourg, which is however located further from the hazardous area. In the framework of INTERREG, a cross-border team of firefighters was created and trained to ensure the security in the Strait of Dover. The legal framework still lacks. Today, apart from an international agreement between French and UK governments (which appears to be a too heavy approach), nothing can easily secure the compatibility of the two national systems. The problem of competence within France could be solved nationally, but it could also be taken in account in a French-British agreement made on the basis of a European legal tool.

- ≡ At the border between **Portugal and Spain**, the *region of Andalusia* explains that the existing institutional asymetry between the two members states complexifies cross-border cooperation. The differences between a centralized state (Portugal), where the competences are mostly concentrated at the national capital, and a highly decentralized state (Spain), where regions have legislative and administrative competences, create a difficulty to efficiently implement cross-border projects. Administratives tasks require plenty of time, because the administrative procedures are very different in each country and the coordination of each part is complex for that reason. *The region of Andalusia* wishes that the process of approval and implementation of cross-border projects would be harmonized between the two countries, potentially with a European tool.

- ≡ At the border, between **Hungary and Romania**, the *EGTC Gate to Europe* describes a similar situation for the implementation of cross-border projects between the two countries. The two different legal systems have different ways of delivering administrative authorizations or

certifications, which makes the project timeline very different on each side of the border, and then the cross-border coordination almost impossible. The *EGTC Gate to Europe* thinks that a coordination of administrative processes could be implemented between the two countries for a cross-border project, especially if it is financed by EU funds.

Obstacles encountered

The obstacles encountered can be summarized in two points:

- ≡ Cross-border projects cannot be implemented or continued, because a common legal frame or legal coordination is necessary to ensure their efficiency. An international agreement, always possible, appears to be really heavy and long to implement.
- ≡ Administrative processes for issuing authorizations associated with cross-border projects are too different, which is a strong obstacle to their efficient implementation; European projects are especially facing this difficulty. When implying EU funds, it would be easier to find a common way for administrative or legal solutions.

Desired final situation

A tool could be created by the EU, in order to make possible an easy and fast collaboration between member states to approve cross-border projects with comparable procedures, which would simplify their implementation. The same tool could also be used by local and national authorities to ensure that a legal frame is shared for a specific cross-border project. This tool should be faster and easier to implement than an international agreement. It should be then compatible with both domestic law and address issues of mutual control.



Creating a tool to ensure the compatibility of national systems

When talking about cross-border cooperation within the EU, the EGTC is an emblematic tool. It allows to create a structure with legal personality and financial autonomy, but it uses the existing law and does not allow to overcome all legal or administrative barriers between two countries.

Without creating a legal structure, two local authorities separated by a state border can conclude an agreement to manage a cross-border project. This agreement has to be compatible with both domestic laws. Only an international agreement, with a (long) ratification process, can adapt national law to a specific situation at the border.

A new tool could be implemented by a EU regulation, to determine the legal frame applicable to a specific cross-border project or to specify a common administrative process to approve a cross-border project. Issues of mutual control have to be addressed, for member states to identify how they ensure the control of legality of the selected solution.

LACK OF LEGAL CERTAINTY FOR CROSS-BORDER FACILITIES AND SHARED SERVICES

Concerned cross-border facility: cross-border hospital

At the border between **France and Spain**, the *EGTC of Cerdanya Hospital* describes a lack of legal certainty to administrative and legal solutions adopted by its partners for its daily operation.

Being one of the most advanced project of cross-border cooperation in healthcare within Europe, the EGTC of Cerdagne Hospital built and operates a Hospital in Puigcerdà (Spain, Catalonia), which serves a cross-border population of 30,000. The tool EGTC allowed competent authorities from each part of the border to create a legal structure to run the hospital, however it did not solved all the problems. Some of them were solved administratively (e.g. birth certificates for French citizens born in Spain), but there is no legal certainty.



The most important subject concern French workers employed by a French structure (French hospital public service) and working for a Spanish one (the EGTC is considered Spanish, having its registered office in Spain). The penal liability for the medical acts they accomplish in Spain is especially in question: in France, their structure would cover them, within the EGTC it is unclear whether the EGTC, their French employer or a private insurance would do it. Furthermore, these kind of questions become even more difficult, when considering the radiology department activities, which are implemented in Spain by the French Hospital of Perpignan through teleradiology: which law applies, which court is competent? According to the EU regulation n°593/2008 of 17 June 2008, wage earners can demand the application of most favorable provisions, but nothing is really defined today to secure labour relations and explain clearly to French workers (especially medical practitioners) what is the legal framework they are working in. The Spanish workers, employed by a Spanish structure and working in Spain, are not concerned by these problems: the Spanish law applies normally (had the hospital been located in France, Spanish workers would have been concerned).

Other cross-border facilities or shared services could be concerned by issues of legal certainty.

Obstacles encountered

To summarize, the EGTC is a very useful tool to implement a cross-border facility like the Hospital of Cerdanya, but it does not modify the law. On the cutting edge of cross-border cooperation, this hospital raises important legal questions for cross-border projects and facilities. The guiding principle

of establishing the cross-border hospital, located in Spain, was to choose and apply the better existing legislation (French or Spanish). Applying French law in Spain does not imply legal certainty, for French administration or Spanish courts. Beyond cross-border staff management, the penal responsibility of French practitioners is especially in question.

Desired final situation

Develop a solid legal framework to provide legal certainty to complex legal arrangements around the set-up of cross-border facilities



How to provide legal certainty to cross-border facilities or shared services?

A cross-border facility, like the joint Hospital of Cerdanya, implies complex legal arrangements. Within the EU, European law applies, then a choice has to be made between one of the two applicable laws of the two member states concerned.

To provide legal certainty to legal arrangements made, the EU could implement a tool that makes possible the coordination of member states concerned, in order to define a strong legal framework, that regulates a cross-border facility, without the conclusion of an international agreement.

Issues of mutual recognition have to be addressed (collaboration of supervisory authorities, competent court and adequate means to carry out control tasks).

DIFFERENTIATED ECONOMIC DEVELOPMENT ALONG THE BORDER, DUE TO DIFFERENT NATIONAL FRAMEWORK CONDITIONS

Concerned cross-border areas

A the border between **France, Germany and Switzerland** (third country), the *Ministry of State of Baden-Württemberg* in Germany and the *Haut-Rhin Department* in France express their difficulty to implement cross-border projects due to incompatible framework conditions especially in terms of applicable law for labor, tax and social security. The EuroAirport Basel Mulhouse Freiburg (located in France, near the Swiss border) and the common industrial area of Jestetten/Schaffhausen (between Germany and Switzerland) are particularly affected.

Furthermore, the very different framework conditions between the French side and the two others make very difficult for French local authorities to attract business, foreign companies prefer to invest in the German or Swiss sides of this cross-border area.

Obstacles encountered

- ≡ Differentiated economic development, due to different framework conditions: the French part of this Upper Rhine cross-border area is less attractive for investors than the Swiss or German ones, because of higher taxes and more severe labor legislation. Local authorities cannot have efficient policies about economic development, they can only support professional training and learning of German language, in order to make French workers able to find jobs on the other side of the border.
- ≡ At the same time, the EuroAirport Basel Mulhouse Freiburg is an important economic zone exclusively located in France, near the border with Switzerland, where numerous companies (especially providing services in aircraft maintenance) are employing 27,000 people. However, these companies, although located in France, were applying Swiss labor law to their employment contracts, on the basis of a wide interpretation of the 1949 French-Swiss agreement about the airport construction and operation. This sort of customary law was tolerated for nearly 60 years, because it was fostering economic growth. In 2008, a French court stated that French labor law had to be fully applied. To prevent companies from developing their activities elsewhere, an agreement was concluded in 2012 between Swiss and France, without any reference to Swiss law. It proposes a framework which should allow the companies of the airport to adapt their employment contracts to French law, keeping the resemblance with Swiss law (conclusion of adapted company-level agreements). Nevertheless, legal experts agree that this solution remains very fragile in the event of legal proceedings.

Desired final situation

To provide legal certainty to the EuroAirport, as well as to encourage economic development on the French part of the Upper Rhine trinational area, the Haut-Rhin Department suggests that a “European Economic Zone” could be implemented. This experimental tool would allow to set up an innovative legal framework able to propose suitable solutions in the fields of employment law, tax law, but also urban planning and pooling of tax earnings and public expenses. Obviously, the relevant companies

for this tool should only be the ones competing in global markets, to ensure that local economic activities are not put at a disadvantage. Finally, this tool should also preserve a minimum common set of values in terms of tax and employment law, to reconcile economic development with an advanced European social model.



Introducing a European Economic Zone

A European legal tool, which would allow to create a European Economic Zone, has to be compatible with EU competences, which cannot legislate about urban planning (except environmental issues), but can uses its competences on territorial cohesion.

Implemented on a voluntary basis of local and national authorities, a European Economic Zone could provide a different framework for global market-oriented companies: located close to the border, this zone could for instance offer a legal framework composed by a mix of the law of the two member states involved (the case of cooperation with a third state has to be studied).

Mutual control issues have to be addressed, as well as pooling of tax earnings and the resulted public expenses (from investments on infrastructure, to social insurances). Finally, such an economic zone has to be compatible with the EU rules on state aid to companies.

DIFFICULT FINANCING OF SMALL-SCALE CROSS-BORDER PROJECTS IMPLYING A STATE AND A LOCAL AUTHORITY FROM ANOTHER MEMBER STATE

Concerned cross-border area

At the border between **France and Luxembourg**, the *AGAPE (Agency of Urban planning and Sustainable Development of North Lorraine)* explains that local authorities located near the border are facing difficulties in providing public services or facilities of collective interest to a growing number of inhabitants, mostly frontier workers, working in Luxembourg. They face a lack of tax income from companies and a lack of the benefit of any other cross-border solidarity mechanism to set up cross border services (public transportation...).

Obstacles encountered:

The lack of tax revenues does not directly concern the EU, in the sense that it is the result of a bilateral agreement between France and Luxembourg. However, considering the high rate of frontier workers living in some regions of the EU, it would be interesting to think about the way cross-border projects can be planned and financed.

Today, two local authorities can conclude an agreement within their common competencies to implement and finance a cross-border project. When implying a state, a EGTC can be created. But between a French local authority and the Grand Duchy of Luxembourg (or any other member state), it is not possible to finance a cross-border project without a EGTC or an agreement implying both member states, which would be too heavy for a one-time project.

Desired final situation:

When a project benefiting to cross-border population is identified and could be financed by a member state and a local authority from another member state, a European tool could be used to easily implement the project, without creating a EGTC or concluding an intergovernmental agreement. It would be profitable for small-scale projects, for which a local authority is competent and it would benefit the inhabitants at the border. This could be especially used in areas where a lot of frontier workers live.



Implementing small-scale cross-border projects co-financed by a state

When benefiting to a cross-border population, a member state should be able to finance a project implemented by a local authority from another member state, with a legal set-up easier and faster than an EGTC (creating a legal body is not always necessary) or an intergovernmental agreement (ratification process).

A European tool could be used for that, allowing a local authority to conclude a convention with a state to implement a cross-border project which benefits the inhabitants.

DIFFICULT CROSS-BORDER ECONOMIC DEVELOPMENT OF EUROPEAN OUTERMOST REGIONS BECAUSE OF EU STANDARDS

Concerned cross-border areas

All outermost regions of the EU can be concerned by this obstacle, i.e. regions within France, Portugal and Spain. These regions have all only maritime borders, except French Guiana (land borders with Brazil and Suriname) and French Collectivity of Saint-Martin (land border with the constituent country of Netherlands Sint Maarten – whereas the French collectivity is a European outermost region, the Dutch country is not part of the EU). Outermost regions can have specific measures (derogations) from the EU to take their geographical situation into account, as provided for in article 349 of the Treaty on the Functioning of the European Union (TFEU).

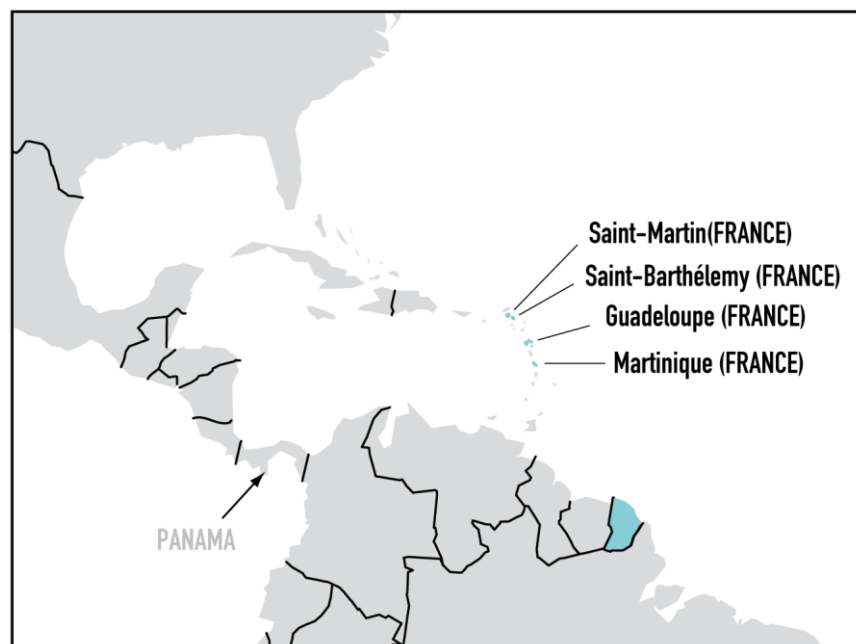
- ≡ At the borders between **France, Brazil and Suriname** (land borders), the *French Guiana region* and *French government services in Guiana* explain that the implementation of cross-border cooperation projects is not facilitated by the strong differences existing between the laws of the EU, Brazil and Suriname. Trade of products is not easy, because of restrictive EU standards applying in Guiana, which cannot be achieved for all kinds of products by Brazilian or Surinamese (furthermore, French Guiana is not necessarily a market enough lucrative to adapt production). Contrary to internal EU borders, there is no free movement of goods and people between Guiana and Brazil or Guiana and Suriname (this is not questioned, but it does not encourage an economic development which would use cross-border potentialities, whereas the EU is financing cooperation projects). Moreover, considerations have been made to develop gold refining with Suriname (Guiana do not attain critical size for that, its gold is then refined in Europe), but standards stands as obstacles when the goods have to cross the border. Furthermore, whereas in the EU, public procurement procedures have a common basis, they are very different in Brazil or Suriname, complexifying projects financed by the EU (Interreg).



- At the borders between **France, the Comoros and Madagascar** (maritime borders), the *French government services in Mayotte* describe the EU standards as a significant limitation for the development of trade between Mayotte and its neighbors. If there is a lack of traceability and control, EU standards constitute also a difficult challenge to achieve for the small enterprises of developing countries.



- At the borders between **France and countries within the Caribbean** (maritime borders), the *Cluster GAT Caraïbes* (Transportation and Logistics, within Martinique and Guadeloupe outermost regions) explains that the construction of a third set of locks to expand the capacity of the Panama Canal will increase the potentialities of economic development for these two French overseas regions. Indeed, more goods will be transported through the Caribbeans, which makes possible the transformation of these products with a high-value-added, before resale. At the same time, European agricultural subsidies for the production of bananas will be reduced, which means less trade flows towards the European continent. Thus, the development of trade in goods has to be increased with neighbors. Europeans standards as well as free zones in ports and airports must be adapted to make that change happen.



Obstacles encountered:

The obstacles encountered can be summarized in three points:

- ≡ Import and export of goods and services between an outermost region of the EU and a third state is difficult because of advanced EU standards. This difficulty is harmful for the socio-economic development in involved cross-border areas;
- ≡ In these areas, third states often do not have a sufficient level of development to compete with EU standards;
- ≡ Third states may apply another legislation regarding public procurement procedure than the EU one, but only European legislation can be applied for cross-border projects financed by EU funds (even in a third country).

Desired final situation:

As provided for in article 349 of the TFEU, the EU can implement derogations to European law for its outermost regions. That is why the specific situation of outermost regions could be taken in account and the EU rules relaxed to facilitate cross-border economic development, benefiting European and third state economy. At the same time, EU public procurement procedures could also be relaxed when applied to projects financed by the EU in third states. With developing countries, the EU could also provide a pathway of progress for the achievement of the standards or procedures.



Relaxing EU rules for cross-border development of outermost regions

European outermost regions are facing complex challenges of development, due to their relative isolation. Relaxing European rules can then facilitate projects of cross-border development. It should however be done for an appropriate and specific project, possibly within a specified geographic area, with the preoccupation of maintaining European social and environmental standards.

A European tool could be implemented in outermost regions, to ensure a legal framework applicable to a specific cross-border project. It could then relax European rules, provided that it is profitable for economic development. This tool could also provide better compatibility between EU and third states regarding public procurement procedures. It should then provide a framework to control the legality of the actions carried out.

4. RECOMMENDATIONS: EUROPEAN LEGAL TOOL

All the obstacles presented above allow drawing an outline solution, which would be implemented as a legal tool by a European regulation. This section aims at giving a general outline of what would be this tool. Firstly, it is useful to present some obstacles, which were described in the replies to the questionnaire, but which appear to have other solutions than a legal tool, in order to explain secondly what type of obstacles such a legal tool can overcome. Finally, some issues linked with a European legal tool designed to handle legal obstacles will be presented.

OBSTACLES TO OVERCOME WITH OTHER ACTIONS THAN A EUROPEAN LEGAL TOOL

Among the replies to the MOT's questionnaire, some obstacles appeared to be broader than just a specific cross-border area. To overcome these obstacles, a local action seems to be impossible or inadequate. An action either at the European level (through a new European policy, but not consisting in a EU legal tool) or at the national level would rather be required.

- ≡ At the border between **France and Germany**, the *Ministry of State of Baden-Württemberg* reports that the German employment contract known as “minijob”, for part-time jobs, is not compatible for French frontier workers with keeping their French social insurances. Indeed, French people working in Germany should have a German insurance, according the EU regulation 883/04, which gives the priority for social security to the country of employment. The specific German legislation about “minijobs” do not require that the employer or the employee be a payer of social security; the employee should then voluntarily register and pay a German insurance, whose cost is higher than what the “minijob” allows to afford. This especially applies for French students: if they want to work in Germany, they cannot keep their public French insurance.
 - This obstacle concerns national levels of France and Germany. The “Minijob” employment contract is a German specificity, with a reduction of social security contributions for employers. Keeping a French working in Germany in the French system would induce a loss of social taxes for the French insurance. It is then a political decision, regarding student insurance policy and social security policy.

- ≡ Still between **France and Germany**, the *Ministry of State of Baden-Württemberg* describes an obstacle linked with dependency insurance. This type of public insurance exists in Germany, but not in France. People who are living in France, but who worked in Germany, have contributed to this insurance in Germany. However, being covered by French social security, for which such an insurance does not exist, they cannot seek to get reimbursement on the basis of what they contributed in Germany. Similarly, French pensioners living in Germany are covered by the French social security, and cannot claim to get reimbursement for their dependency on the basis of German insurance.
 - This obstacle concern also national level, competent in terms of social security. A bilateral agreement could overcome it.

- ≡ Concerning the **whole Schengen Area**, the *Euro-Institute (Institute for cross-border cooperation)* wishes to see an enhanced cooperation between national criminal prosecution authorities, to combat European crime, which is taking advantage of Schengen Area without enough cooperation between competent authorities.
→ This wish is about a European policy, which need first to be defined at European and national levels, before having a concrete application with a legal tool locally used.
- ≡ At **EU external borders**, some administrations (e.g. the *IPPRVS – Institute for Spatial Planning, Development and External Relations of Kaliningrad Region* – and the *Ministry for EU affairs of Turkey*) ask for a specific regime for free movement across the borders of their non-EU citizens in the EU. This was already made between the EU and some areas of Bosnia and Herzegovina close to the EU border (inhabitants can easily access to some areas within the EU, for instance in Croatia).
→ This obstacle can only be overcome with an international agreement, between the EU and the involved third state.

Other obstacles also appear to be broader than just a specific cross-border area. Furthermore, they are outside of the competence of the EU.

- ≡ The *Ministry of State of Baden-Württemberg* regrets the lack of a European law on severely disabled people.
- ≡ The *Agency of Development and Urbanism of Lille* wishes the EU to implement a statutory duty to communicate new planning documents to local authorities on the other side of the border.
→ The EU is not competent in urban planning. It is only competent if projects have an environmental impact, and this duty to inform already exists in that case. It does not prevent local or national authorities, which are willing to cooperate, to voluntarily inform their neighbors. This unconstrained approach should also be part of cross-border cooperation. For instance, the EGTC “Eurometropolis Lille–Kortrijk–Tournai”, at French-Belgian border, is coordinating its members in the elaboration of their planning documents.

DRAFTING A EUROPEAN LEGAL TOOL

Having presented obstacles and outlines of solutions, a European legal tool to overcome obstacles to cross-border cooperation, results-oriented, should then focus on:

- ≡ An identified geographic area: the tool should be voluntarily used by competent local and/or national authorities, to overcome the identified obstacle in the concerned cross-border territory, under the supervision of member states involved;
- ≡ The localness of the obstacle to overcome: the tool should concentrate on an obstacle linked with a specific cross-border infrastructure or project of local interest. If the obstacle is identified as national, the tool would not be the proper way of intervention or should constitute an experimentation process;

- ≡ The guarantee of legal certainty: the implementation of the tool on a local territory should be approved by all the relevant authorities (at the European, national, regional or local level, depending on the involved competencies), to ensure that actions taken under this specific legislation are legal and under control of the competent authority having jurisdiction.

ISSUES FACED BY A EUROPEAN LEGAL TOOL

The elaboration of a European legal tool for overcoming an obstacle raises certain issues. This section aims at explaining some of these issues, to contribute to the development of the tool, which will have to address them.

Using legislative or regulatory experimentation

As it is used nowadays in different countries throughout the world, legislative or regulatory experimentation implements temporarily provisions under waivers from ordinary law. After a period of time, these provisions have to be assessed to determine whether they should be finally adopted, adopted with amendments or abandoned.

In Germany, there are experimental laws and clauses (*Experimentiergesetze* and *Experimentierklauseln*), at both federal and Länder levels. Jurisprudence has set a framework for experimentation: it must be limited in time and then it has to be abandoned or generalized. The Ministry of Interior (Land or Bund) has to allow the temporary suspension of ordinary law. Similar provisions about experimentation exist also in Sweden.

In France, legislative experimentation exists since 2003 for regional and local authorities. An experimentation law, approved by the parliament, allows willing authorities to derogate from the ordinary law governing the exercise of their powers, during the experimentation time (maximum five years). Then, the experimentation law is assessed, to be generalized to all authorities (with potential amendments) or dropped. This legal instrument allows to apply a specific law to a specific area (or authority), but it is time limited and has to be generalized to continue.

In European member states, results of experimentation laws and clauses are not overly enthusiastic. In France, experimentation is little used, due to reversibility requirement (2004: management of European structural funding by the regions and regional economic development plan; 2007: experimentation of RSA – Active Solidarity income; both have been generalized). In Sweden and Germany, experimentation has been used with varying degrees of success, depending a lot on civil servants' implication. Furthermore, assessment is a heavy procedure.

On this basis, thinking about European experimentation applied to cross-border cooperation implies two conditions: a strong involvement of local and regional authorities to test a law and assess it, as well as the need for generalization or abandon of the law when its trial period ends. Especially for the second condition, experimentation as it is understood nowadays appears then to be a deadlock for cross-border cooperation.

The experimentation concept could also evolve and be considered as a way to lastingly differentiate a cross-border territory, on the voluntarily basis of involved authorities. The constitutionality question could be addressed if the law takes in consideration the specific situation of the area, without creating inequality of treatment of citizens.

Combining EU competences and member states competences

In thinking a European legal tool, competences of the EU and competences of its member states will have to be combined. Indeed, obstacles addressed may fall within EU or member states competence. Thus, the EU cannot legislate in all areas.

However, as it already does for the EGTC, the EU can use its competency on territorial cohesion (art. 174 TFEU) to create a tool, similar to the EGTC, which is created by the EU and exercises its tasks within the common competencies of its members. This new legal tool could be legally governed by a European regulation, but subject to approval of involved member states. Therefore, a strong involvement of national administrations in the process would be necessary.

Addressing constitutional issues

Some member states would consider unconstitutional a tool allowing the application of a different law than the ordinary one on a specific area. For instance, French Constitution enshrines the absolute equality of citizens before the law (article 1). As a consequence, experimentation in France had to be introduced with a new constitutional article (art. 37-1), and the specific law applied overseas is provided for in article 74 of French Constitution. Though, local laws exist in France: it can be only justified by prior existence to the Constitution (e.g. local law of Alsace and Moselle) or if it doesn't question equality of citizens before the law (e.g. specific tax for transportation in Île-de-France, taking in account a territorial specificity). This last possibility has to be considered for a European legal tool applied to cross-border cooperation.

In any case, creating a new European legal tool requires to consider these questions of constitutionality, which affect other member states than France (article 32 of Polish Constitution, article 3 of Italian Constitution, etc.). This question of a different law can however be justified in some cases (see above French example). Though, it does not prevent such a legal tool to exist, provided that all projects concerned will not be facing constitutional issues.

Implementing mutual recognition

Once a European legal tool implemented on a cross-border area, which allows applying a different law for a specific project, it is very important to think about the way this law can be applied.

To set an example, if a cross-border project uses this new legal tool to apply law 1 of country A in country B, and law 2 of country B in country A, the two member states have to agree on how they will control application of laws 1 and 2. They will have to agree on mutual recognition, meaning that authorities in charge of legality check will have to communicate (involving human resources able to speak at least one common language). They also will have to agree on competent courts: if court of country A is competent only in country A, will it be able to judge according law 2? Should court of country B be competent in country A for law 2?

The implementation of such a legal tool should then provide the easiest solutions for mutual recognition and court competences, and has to be approved and applied by involved member states. These solutions may vary according the involved countries.

Furthermore, some European countries can have different approaches of public and private law. For instance, the EGTC is often declined as a public law body in Western Europe, whereas Central and Eastern Europe member states can give it a private status. The European Commission considers it as

a public body for European law. For a European legal tool, that only means that declined at different EU internal borders, this tool will have to compete with different conceptions of public and private law, and thus has to be very specifically adapted to the involved cross-border project, with potential differences of treatment between involved member states.

Facilitating cross-border cooperation without affecting other citizens

Sometimes, some border authorities would like to have “free zones” (goods placed within these areas are free of import duties, VAT and other import charges). However, these zones, beyond the unconstitutional dimension of new ones, would only move further the “border effect”. The obstacle is not overcome, just moved. Other citizens will suffer from it.

That is the reason why a new European legal tool, oriented towards cross-border obstacles overcoming, should concentrate on solving the problem without doing it at the expense of other inhabitants.

The project content is thus very important: if it is about running a specific cross-border facility or shared service, the European legal tool will appear really relevant. At the opposite, asking for an application of the other member state law on a whole area, without a specific project involved, would not be appropriate for such a tool.

According to another view, a different treatment of few cross-border citizens could be considered as having minimal effects (“*de minimis*” – not to be confused with the *de minimis* “state aid” European regulation), and thus would be acceptable.

Ensuring an easy and fast implementation

Obviously, overcoming cross-border cooperation obstacles between member states can be done directly by them, without a European tool, but with an international agreement. However, to be ratified, a few years can be a standard delay for such an agreement. An international agreement involves also directly the states, local and regional authorities are not necessarily taking part in diplomatic negotiations, unless they are subjects of international law, like the Belgian Communities and Regions.

A European legal tool could then be profitable for cross-border cooperation, by bringing new possibilities and improving existing tools. It would indeed bring an instrument for willing regional and local authorities to deal with a legal cross-border problem with involved member states and it would be faster to implement than an international agreement. To ensure that easy and quick implementation, the tool has to be designed to fit national requirements and address issues mentioned above, especially on mutual recognition and constitutional issues.

5. CONCLUSION

To overcome cross-border obstacles at local level, a multi-level approach is necessary, which takes into account existing tools and administrative framework. For instance, a project of cooperation can be implemented through an EGTC, which is able to bring together all actors having the same competency on each side of the border. Working together at local level also implies having better informal coordination between the different administrations involved, to easily overcome administrative obstacles.

On each border, regional and national levels have to better coordinate their legislations and their administrative action. For example, the French-Belgian parliamentary working group is a very interesting national action in favor of cross-border cooperation, with a huge work made on the identification of obstacles due to diverging national frameworks and their progressive resolution. Domestic legislations can by this way be adapted to facilitate cross-border cooperation, as well as international agreements concluded to implement new topics in cross-border cooperation (e.g. French-Belgian health agreement).

The role of macro regions, when they exist, can also be important in overcoming obstacles, as it constitutes a pertinent scale for coordination between states, and could thus especially focus also on cross-border cooperation.

At the European level, an important work can and should be done within the existing legal framework. Within the European Commission, Inter-service groups (ISG) address issues that cross cut the DGs; obstacles to cross-border cooperation should be addressed, either by existing ISG (e.g. the one dealing with urban and territorial affairs, coordinated by DG REGIO), or within a new specific one.

Another complementary approach to better take in consideration cross-border issues in the legislative process, is to improve the impact assessment procedure, taking into account territorial aspects, and particularly impacts on cross border territories. This should be developed with DG REGIO and the Committee of the regions

Finally, new legal tools specific to cross border cooperation could be implemented, as the tool evoked in this document. A focus below explains how this tool, which is still to be properly drafted.



How a European legal tool could be used?

Once a EU legal tool introduced into European regulation, it would be available for European cross-border territories, and hopefully for cross-border areas divided between the European Union and a third state.

Facing a legal obstacle while implementing a concrete cross-border cooperation project, local stakeholders could use a EU legal solution. On the basis of the European regulation, they could then propose to their member states a convention providing a solution and legal certainty to it. The convention would also define how mutual recognition is realized and the competent court. Member states would then approve the convention to implement the project. For obstacles and solutions under the EU competency, the Commission would examine the solution suggested, together with the member state involved and the EU Council.

To be a success, this tool requires the involvement of willing local and regional authorities. A standard procedure would allow implementing the solution faster than an international agreement.

6. ANNEXES

STRUCTURE	STATES INVOLVED (country of respondent first) – ISO 3166
ADU Montbéliard	FR/CH
AGAPE – Agence d'Urbanisme et de Développement Durable Lorraine Nord	FR/LU
Agence de développement et d'urbanisme de Lille Métropole	FR/BE
Agrupación Europea de Cooperación Territorial Duero-Douro (AECT)	ES/PT
AUDAB – Agence d'urbanisme de l'agglomération de Besançon	FR/CH
BRECO Oradea Regional Office for Cross Border Cooperation	RO/HU
Communauté de communes du Briançonnais	FR/IT
Communauté autonome d'Aragon	ES/FR
Conseil général du Pas-de-Calais – Direction Europe et International	FR/UK
Conseil régional de Lorraine	FR/DE/LU/BE
Co-operation and Working Together (CAWT) Cross Border Health and Social Care	UK/IR
Département du Haut-Rhin	FR/DE/CH
East Border Region	IR/UK
EGTC Hôpital de Cerdagne	FR/ES
EGTC Pays d'Art et d'Histoire Transfrontalier – Les Vallées Catalanes du Tech et du Ter	FR/ES
Euro-Institut	FR/DE/CH
Financial Cooperation Directorate, Ministry for EU Affairs, Turkey	TR/BG
FORUM TRANSFRONTALIER arc jurassien	CH/FR
Frankfurt-Słubicer Kooperationszentrum	DE/PL
Gate to Europe EGTC	HU/RO
GECT Alzette Belval	FR/LU
HU-HR Joint Technical Secretariat	HU/HR
IPPRVS – Institute for Spatial Planning, Development and External Relations of Kaliningrad Region	RU/PO/LT
Joint Spatial Planning Department Berlin-Brandenburg	DE/PL
Land of Brandenburg – Ministry for Justice, Europe and Consumer Protection	DE/PL
Ministry for EU Affairs – Directorate of Financial Cooperation	TR/BG
Mulhouse	FR/DE/CH
Office of the Regional Government of Land Kärnten	AT/IT/SI
Öresundskomiteen	DK/SE
PACA region	FR/IT
PKF-FPM Accountants Ltd.	UK/IR
Püspökladány Város Önkormányzata	HU/RO
Regional Council of North Karelia	FI/RU

Regional Development Agency	CZ/PL
Secretaría General de Acción Exterior – Consejería de la Presidencia – Junta de Andalucía	ES/PT
Secrétariat Technique Conjoint POA	FR/SR/BR
SGAR/Préfecture976	FR/KM/MG
Staatsministerium Baden-Württemberg	DE/FR
Syndicat mixte Parc naturel régional des Pyrénées catalanes	FR/ES
Université de Perpignan	FR/ES
Université Savoie Mont Blanc France	FR/IT
Valga Town Government	EE/LV

