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## **Call for proposals in the framework of the initiative *b-solutions 2.0*:**

### **Solving Cross-Border Obstacles**

**(Grant Agreement 2021CE160AT096)**

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## **1. INTRODUCTION**

### **1.1 Background Information: why *b-solutions*?**

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

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

The European Commission and AEBR initiated *b-solutions* and *b-solutions 2.0* in an effort to support border regions, which are home to around 150 million Europeans, almost one third of the EU population.

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

### **1.2 *b-solutions 2.0*: What is it and what does it aim to achieve?**

The general objective of *b-solutions 2.0* is to promote sustainable solutions to obstacles of a legal and/or administrative nature which hinder cross-border cooperation.

*b-solutions 2.0* addresses border regions along EU internal land and maritime borders and along EU borders with EFTA and IPA countries.

The initiative's outputs consist of the analyses of a maximum of 120 cases of cross-border obstacles of a legal and/or administrative nature. The cases will be selected through calls for proposals and targeted research.

The *b-solutions 2.0* initiative also aims at:

- supporting the implementation of 30 cases of cross-border obstacles of a legal and/or administrative nature; and
- publishing content raising awareness of common obstacles hindering cross-border cooperation, and of potential solutions.

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

## **2. THE PRESENT CALL FOR PROPOSALS**

Following the first *b-solutions 2.0* call for proposals opened from 12 April to 21 October 2022, AEBR, in cooperation with DG REGIO, opened a second call for proposals on 15 November 2022 under the *b-solutions 2.0* initiative. The call, initially planned until 10 November 2023, is extended until resources are available.

However, cases selected after 10 November 2023 might not be included in the publications to be released in September 2024. These cases may be included in later publications.

**The objective of this call is to identify further cases where a legal or administrative obstacle hinders cooperation amongst border regions.**

Proposals for obstacles to receive advice can be submitted at any point through the present call for proposals which will stay open until resources are available (further notifications to be released at the beginning of 2024).

All applications are evaluated as soon as they are submitted and selected within 20 working days.

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

The present call for proposals takes place in a context of release of measures taken to halt the Covid-19 pandemic. Although AEBR and DG REGIO acknowledge that the borders' control measures of national borders in Spring 2020 created new obstacles to cross-border cooperation, the call for proposals aims to collect cases of structural obstacles of a legal or administrative nature that exist beyond the temporary measures that have been put in place due to the pandemic. In this sense, obstacles subject to the present call for proposals should target structural obstacles rather than those arising due to temporary restrictions.

The present document sets out the requirements and the process to follow in order to submit a proposal. As such, it should be read together with the *b-solutions'* guidelines published on *b-solutions'* website<sup>1</sup>, which instead illustrate how to fill in the digital application form.

### **2.1 Target of the call for proposals**

The present call for proposals addresses eligible applicants to identify obstacles to cross-border cooperation in the following **land and maritime border regions**:

- EU internal border regions;
- Regions along the border between EU and EFTA countries<sup>2</sup>;
- Regions along the border between EU and IPA countries<sup>3</sup>.

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

<sup>2</sup> The EFTA Member States are Iceland, Liechtenstein, Norway and Switzerland

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

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

- **lack of coherence** of legislation<sup>4</sup> applicable on the different sides of the border;
- **inconsistencies, inexistence,** or overlapping of different **administrative procedures**;
- applicable European, national or regional legislation or administrative procedure do not take into account the **specificity of cross-border interactions**.

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

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

## **2.2 Benefits for the selected applicants**

Within the present call, successful applicants will be assigned the **support of experts** with sound knowledge of cross-border cooperation practices and competences in analysing a legal text and consultancy skills who will cooperate with the participants in *b-solutions 2.0*.

Experts to advise the cases are selected by AEBR through an open [call for expressions of interest](#). Experts will be matched with each case based on their field of expertise, their language skills and understanding of specific territories<sup>5</sup>.

The expert's advice aims to grant support in **defining the obstacle** clearly and systematically, as well as in **identifying a possible solution** to it and outline the legal framework from which to proceed. The legal expert's analysis attributed to successful applicants would lead, in each advice case, to a case report which underpins conclusions of their work relating to options for resolving the identified obstacle. This will include a description of the obstacle with indication of the legal/administrative provisions causing the obstacle; a description of possible solutions; a full list of all legal provisions relevant to the case with the correct citation both in original language and in English; and an executive summary. The template for the report will be assigned by AEBR to contracted experts.

Experts are expected to visit successful candidates and stakeholders to carry out the analysis for a maximum of 9 days. However, in case of restrictions to travel

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

<sup>5</sup> Experts can apply via a call for "[expressions of interest](#)" open from 31 March 2022 to 31 May 2024. They are selected based on their proven legal background and knowledge of cross-border matters.

due to the current Covid-19 pandemic, experts may decide to carry out the analysis and necessary interviews online.

Experts carry out the visit and the analysis for a maximum of 9 days within a period of a maximum of three months. The three-months period starts on the date when the successful applicant is informed of the expert that has been assigned to the case. The start can therefore be expected a few weeks after the submission, upon selection by AEBR and validation by the European Commission's Border Focal Point.

In this chronological framework, the last advice period will end in September 2024.

AEBR remunerates the experts for a 9-days advice period. The experts will produce a report according to the indications listed above to be submitted to AEBR and the representatives of the successful case.

Successful cases benefit from their participation receiving technical support by the expert who will provide legal advice on the obstacle identified. It should be noted that the selection as a successful case does not entail financial support.

Successful cases do not need to file a report about their participation either.

In conclusion of the analysis by the expert, successful cases are requested to fill in a one-page document to evaluate their experience and endorse the report by the expert.

### **2.3 Content of the application**

In the online application form, applicants need to indicate:

- what the obstacles is;
- the potential increase in **cross-border cooperation** if the obstacle is solved;
- the applicant's or the partners' **mandate** to devise solutions; and
- the **replicability** potential of the action.

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

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

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

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

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

## **2.4 Thematic coverage for this call for proposals**

For the present call for proposals, applicants can submit advice case proposals addressing the following topics mentioned in the [European Commission's report \(2021\)](#), which are to be considered in their cross-border dimension:

- 1) Institutional cooperation
- 2) Public services
- 3) Labour markets and education
- 4) European Green Deal

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

### Institutional Cooperation

The EU Member States have different administrative cultures and systems. This diversity can be a constraint when different systems meet. The lack of a common approach or understanding and the limited existence of mutually recognised documents can lead to lengthy and costly procedures, even for key life events.

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

### Public services

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

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

### Labour markets and education

Creating a genuine cross-border labour market presents many advantages for businesses, employees and job-seekers. For example, employers have access to a larger pool of skills and competences and job seekers can access more job vacancies.

Under this thematic focus, applicants can present obstacles related to the recognition of qualifications, the identification of available jobs, the complexity of national tax and access to social security regimes, the language difference, etc.

### European Green Deal

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

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

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

### **3. ELIGIBLE ENTITIES – WHO CAN APPLY?**

Eligible entities are:

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

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

For public bodies under 1), the concept of territory, as applied in this call for proposals, covers the **territory** for which a given public institution or body has a **mandate**, meaning the legal competence to intervene in certain areas and territories. As such, the territory is not limited to the territory in which one entity is located.

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

Successful applicants of the previous calls for proposals can apply again, on condition that the obstacle subject of the application is a different one. There are no restrictions as for the thematic area the obstacle should be categorised in.

Unsuccessful applicants of the previous calls for proposals are welcome to apply again, possibly also with the same obstacle if still relevant, unless they had been excluded because the application was deemed as not eligible.

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

#### **4. HOW TO APPLY**

The link to the online application form is: <https://www.b-solutionsproject.com/apply> (accessible from 15 November 2022 until further notice)

Please refer to the [guidelines](#) and the [Frequently Asked Questions](#) documents which contain detailed instructions on how to fill in the online application form and detailed information.

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

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

All applicants must fill in the application form, preferably in English<sup>6</sup>. Applicants are invited to utilise the [eTranslation Tool](#) put at disposal of public administration to translate information into English if needed.

Applications can be submitted until resources are available.

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

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

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

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

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<sup>6</sup> Applications can otherwise be filled in in all 24 official EU languages, Icelandic and Norwegian (Bokmål). If applications are received in a language other than English, these will be translated using the [eTranslation Tool](#), an online machine translation service provided by the European Commission.



## **5. SELECTION AND AWARDING PROCESSES**

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

1. Eligibility check
2. Quality assessment

Please note that *b-solutions 2.0* is funded with Technical Assistance of the European Regional Development Fund. Therefore, successful applicants shall not fund similar activities like the ones offered by *b-solutions* for the same obstacle subject of the application with funding issued by the European Union. These services would include a legal report outlining a description of the obstacle, an indication of the legal provisions causing it, and preparation of a roadmap toward possible solutions.

### **5.1 Eligibility check**

AEBR will carry out an eligibility check on all submitted advice cases' applications. The purpose of the eligibility check is to verify compliance of the received applications and their annexes with the formal eligibility criteria. The application forms will be received in electronic format, and confirmation of receipt will be sent to the applicants.

*b-solutions'* **general eligibility criteria** are the following:

1. the application form has been submitted electronically via the dedicated webpage before the deadline indicated in the present call for proposals;
2. the application form is completely filled, preferably in English<sup>7</sup>;
3. the applicants correspond to the applicant's profile detailed under section 3 of the present call for proposals.

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

### **5.2 Quality assessment**

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

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

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<sup>7</sup> Applications can otherwise be filled in in all 24 official EU languages, Icelandic and Norwegian (Bokmål). If applications are received in a language other than English, these will be translated using the [eTranslation Tool](#), an online machine translation service provided by the European Commission.

1. the proposed action addresses real and documented obstacles of an administrative and/or legal nature hampering cross-border cooperation in one of the clusters addressed in the 2021 Report;
2. the potential increase in cross-border cooperation if the obstacle is solved;
3. the applicant's or the partners' mandate to devise solutions;
4. the replicability potential of the action.

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

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

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

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

If the number of applications reaching the 12 points thresholds is higher than the number of applications that can be supported, then the best scored applications will be selected.

In case of equal scoring between a new applicant and one who already submitted several applications, the new applicant's case will be favoured.

Once a week, AEBR will inform the European Commission about the cases, which have applied that week, to be discussed. All applicants will be notified of the decision taken on their proposals upon validation of the selection by the European Commission's Border Focal Point, or following the rejection of the submission.

This ensures that the final list of selected applications will be agreed with the European Commission.

Non-selected applicants can still reapply later after improving their proposal based on AEBR's feedback.

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

## **6. HOW TO GET ASSISTANCE**

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

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

A set of FAQs is available online<sup>8</sup>, which will be updated regularly with practical questions posed by applicants through the functional *b-solutions'* s mailbox ([b-solutions@aebr.eu](mailto:b-solutions@aebr.eu)).

For questions, please contact AEBR at:

Email: [b-solutions@aebr.eu](mailto:b-solutions@aebr.eu)

Phone number: +49 17642090666

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

## **7. KEY DATES**

- Call opening: 15 November 2022
- Call closing: After exhaustion of available resources
- Selection of successful proposals: on a rolling basis, within 20 working days after submission
- Expected implementation period: within a maximum of three months after assignment of an expert

## **8. MORE INFORMATION AVAILABLE**

*b-solutions 2.0* is an extension of the previous *b-solutions* project implemented by AEBR on behalf of the European Commission as one of the actions indicated in the Communication [Boosting growth and cohesion in EU border regions](#) (COM(2017) 534 final), adopted by the European Commission in 2017.

*b-solutions* was conceived of to respond to the needs of border regions, which recent studies revealed as being still affected by obstacles caused by the presence of borders, in spite of the Interreg funding received for over 25 years. In particular, experts pointed out these aspects:

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

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<sup>8</sup> <https://www.b-solutionsproject.com/call-for-proposals>

obstacles could result in an average growth of 2% of the aggregate GDP of border regions<sup>9</sup>.

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

From 2018 and 2021, four calls for proposals were launched in the framework of *b-solutions*, involving practitioners and policymakers to identify obstacles to cross-border cooperation and possible solutions. In total, 90 cases were collected and reviewed by experts who advised on potential solutions to overcome these obstacles.

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

This enabled to draw relevant lessons learned:

- There are still **many legal and administrative obstacles** to cross-border cooperation within the EU, and they relate to almost all aspects of community life;
- Obstacles of a legal and administrative nature are usually accompanied also by other causes, such as the **lack of coordination** among stakeholders across borders and a higher **complexity** due to the number of actors to be involved to devise solutions;
- Overcoming legal and administrative obstacles is a **lengthy and complex process** and often requires to **amend the legal and administrative frameworks** within which cross-border cooperation projects are operating. Amendments can take the form of agreements among the local actors involved in the issue at hand, revision of the legal provision in one or all of the Member States involved, bilateral agreements or modification of the European law;
- Using **complementary types of responses**, such as the development of new approaches or the cross-border harmonisation of already existing methodologies, can be also very effective in mitigating the negative impacts caused by the legal and administrative obstacles;
- The strong **political commitment** of stakeholders at **different levels** (European, national, regional and local) is crucial to implement sustainable, long-term, solutions. Essential is also the commitment of regional and national administrations to adopt a collaborative and inclusive approach based on dialogue;

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<sup>9</sup> Politecnico di Milano (2017) "Quantification of legal and administrative border obstacles in land border regions". <https://ec.europa.eu/futurium/en/evidence-and-data/quantification-effects-legal-and-administrative-border-obstacles-land-border>

- Performing **thorough researches, evidence-based analyses** (practical guides) and joint trainings is essential to understand what the real obstacles preventing or hindering cooperation are. Only this can ensure the **access to detailed and accurate cross-border information to** outline the most appropriate form of solutions;
- The **lack of capacity** of stakeholders to fully assess the barriers, particularly where these are based on complex legal/administrative issues is a major blocking factor on progress, as it prevents to clearly define possible solutions;
- Certain **instruments and tools** put forward by the **European Union** have proven very useful for local authorities in resolving impediments to cross-border cooperation and in overcoming obstacles (i.e Interreg, European Groupings of Territorial Cooperation);

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

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

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

To be part of a community of experts in cross-border issues and stay up-to date on initiatives relevant to border regions, register to the [Border Focal Point Network](#).