



**Expert Group on
Cross-border Healthcare**

15-11-2018

BOOSTING GROWTH AND COHESION IN EU BORDER REGIONS

#EUBorderRegions



COM(2017)534
SWD(2017)307

*Regional and
Urban Policy*



Cross – Border Concept

- In Cohesion Policy context
- Proximity interactions between agents on contiguous regions across a national border (NUT3 regions limited by the border);

It is not:

- Between countries not sharing a border
 - Between regions not on the border





European **C**ross **B**order **M**echanism

What it is? and what it is not?

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What is it?

- *A legal mechanism to overcome legal obstacles that hamper stronger cross-border interaction*
- *The framework to establish case by case agreements (Commitments ECBC; or Statements ECBS) to overcome existing obstacles*
- *ECBC and ECBS apply in the limits of a well-defined case/project*
- *Within those limits, allows for the application in one MS of the legal provisions from another MS*

What it is not

- *A revision of, or a new form of EGTC*
(it is not aimed at creating new legal persons)
- *Mandatory*
(MS may opt to keep other "existing ways to solve legal obstacles"; when opting for a statement the final outcome may be not to adopt the proposal)
- *A mere support for INTERREG*
(it aims at overcoming obstacles, even when EU funding is not involved)
- *A way to bypass national legislative powers*
(When a ECBS (a Statement) is agreed, it only commits authorities to present proposals to the respective legislative bodies)
- *Applicable everywhere*
(Scope defined as cross-border regions = NUTS3)



EU Budget for the future

ECBM

Why is it needed?

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Why is it needed?

- *Article 174 of Treaty FEU: "particular attention to ...cross-border...regions"*
- *In spite of the Single Market legal and administrative obstacles still hamper cross-border interactions in the EU.*
- *"If only 20% of existing obstacles were removed border regions would still gain 2% in GDP."*

(Com(2017)534, data from Politecnico de Milano)

What kind of obstacles?

- *Legal or administrative provisions with regards to the planning, development, staffing, financing or functioning of a joint project*
- *Many possible causes:*
 - . *Not compatible administrative procedures;*
 - . *Planning not considering the neighbour;*
 - . *Incompatible transpositions of a Directive;*
 - . *Different applicable technical standards;*
 - . *...*
- *Some illustrations???*

Extension of Strasbourg (FR) tram line to Kehl (DE)



Strasbourg – Kehl tram... Obstacles e.g.:

Adaptation of the equipment of a tram (light, wheels, extincor..)

Mixing of signalisation for road and tram traffic

Installation of travel ticket machines with mixed systems

Circulation of a French tram in a foreign country

Statute of equipment: bridge, tram platform, ticket machines..

Recognition of travel tickets

Responsibilities for **security matters** during CB travels

Conditionality of the financial support through ministries

Separate tariffication and travel tickets

Distribution of tickets

Coordination of public certification for the circulation of trams

... led to a too long process

2009

Memorandum of
Understanding



2016

Convention on the Joint
Tariffication

Obstacles in emergency services

- *Firefighters and ambulances are in many cases prevented to intervene as legal restrictions impede them from crossing the border*



13/5/2000

Major explosion in firework factory in Enschede (NL) on DE border;

Police cars were already allowed to cross the border with their signals, but not the ambulances! An on-the-spot solution had to be found: one police car with the siren on ran in front of an (silent) ambulance which followed at the same speed.

Cross-border triathlon

interreg
TOURNAI
ALZETTE BELVAL
LA TRANSFRONTALIERE
D'ALZETTE BELVAL
Villerupt-Belval-Villerupt | Edition 2016

NOUVELLE COURSE
A PIED !!

DIMANCHE 13
NOVEMBRE

15 KM
EN INDIVIDUEL, EN
RELAIS OU EN
EQUIPE !!

DEPART 10H
DE VILLERUPT

ETAUSSI UNE
MARCHE!

Plus d'infos sur gectalzettebelval.eu ou www.tgv54.com

Présentation obligatoire des licences françaises (FFA / FFT1...) ou d'un certificat médical

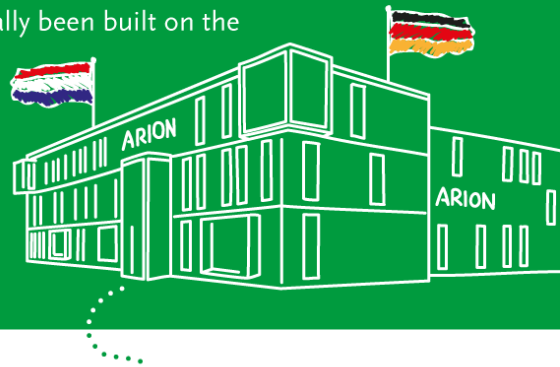
Tageblatt Orléanais DECATHLON E.Leclerc

Les participants ne résidant pas en France sont tenus de fournir un **certificat médical de non contre-indication à la pratique de l'athlétisme ou de la course à pied en compétition**, même s'ils sont détenteurs d'une licence compétition émis par une fédération affiliée à l'IAAF [International Association of Athletics Federations] (article II-A-4 de la réglementation des manifestations pédestres hors-stade).

Cross-border headquarters

we are moving

As of the 5th of september our Headquarters will be located at business park Avantis. Our brand new office has literally been built on the Dutch-German border.



“Because the building has to meet German as well as Dutch strictest requirements, it is so sturdy that it might even resist wind force 12.”

<https://www.arion-group.com/en/video.html>

... and the examples could continue

- *Different legal provisions hamper cross-border traineeships*
- *Lengthy and costly cross-border mail delivery*
- *Lack of legal certainty for medical practitioners in hospital across the border*
- *Restricted supervision of PhD students from neighbouring countries*
- *...*

What about obstacles in the healthcare sector ?

- *Need to have a prior authorisation to be attended in the nearest hospital which happens to be on the other side of the border;*
- *Closest ambulance is not allowed to intervene because licensing (of ambulance or driver) is limited by national borders;*
- *Lack of legal certainty for medical practitioners in hospital across the border;*
- *Need for sealed coffins even if funeral is close to hospital, but on the other side of the border.*
- *...*

EU Budget for the future

ECBM

How does it work?



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Two levels decision

1st – Will the MS apply the EU Mechanism (art 4)?

- Reflection at national level
- Decision taken once, border by border
- If there is another "existing way to resolve legal obstacles..." → MS may opt-out of EU Mechanism
- Otherwise EU Mechanism applies to that border

2nd – For borders where EU Mechanism will apply:

- MS creates CB Coordination Point
- ... then processes for Commitments or Statements addressing specific obstacles can be triggered

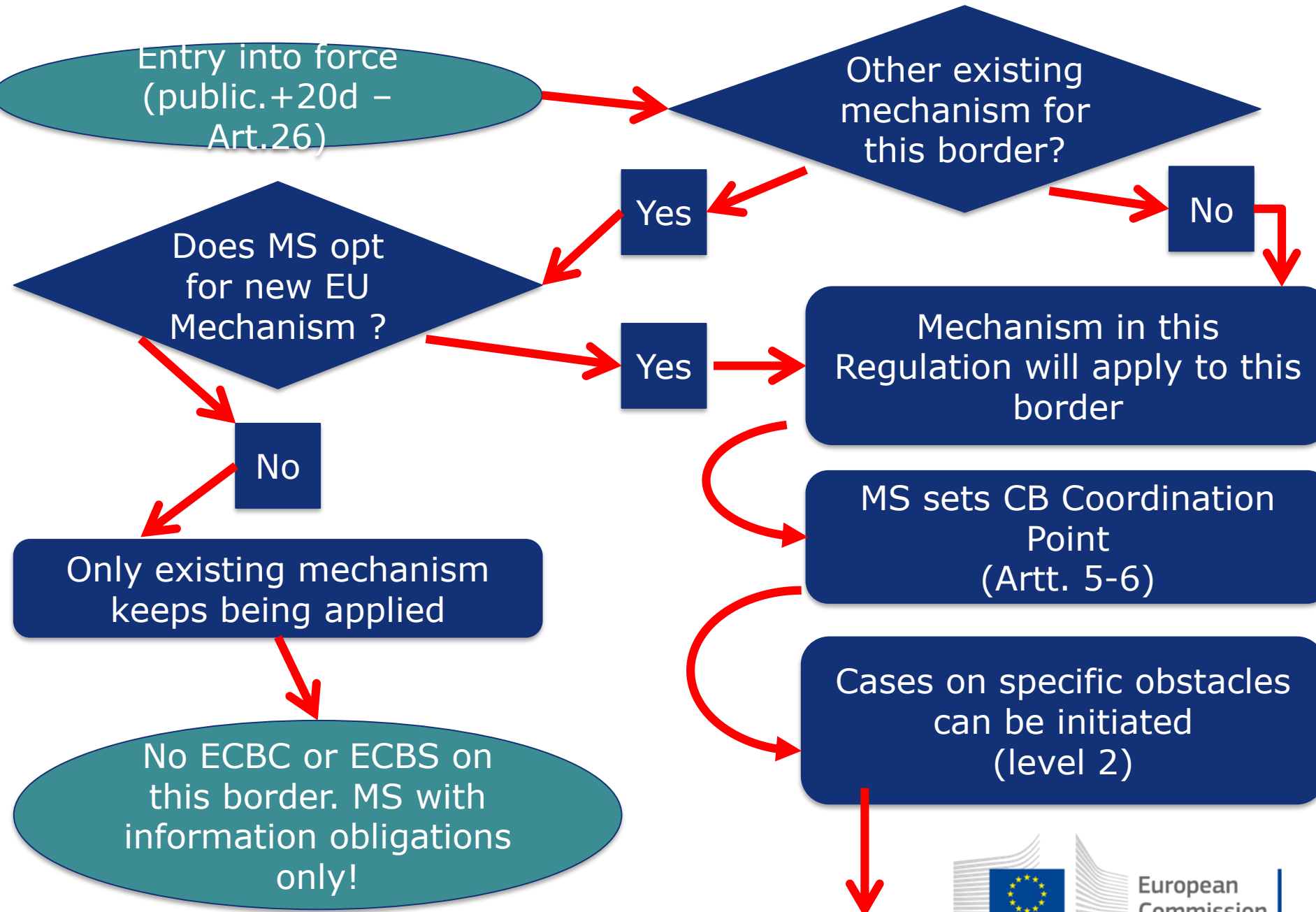
Not to confuse:

- 1 - Mechanism (ECBM): a procedure to overcome cross-border legal obstacles. The process is set out in the Regulation.
- 2 – Commitment (ECMC) or Statement (ECBS): a specific solution found for a specific cross-border legal obstacle. One solution per case.

Other used acronyms:

CBCP = Cross-Border Coordination Points, to be set at national/regional level

First level (single decision per border – Art. 4)



Second level (one decision per obstacle Artt. 8-20)

