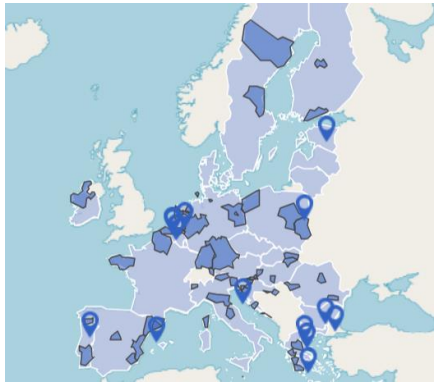
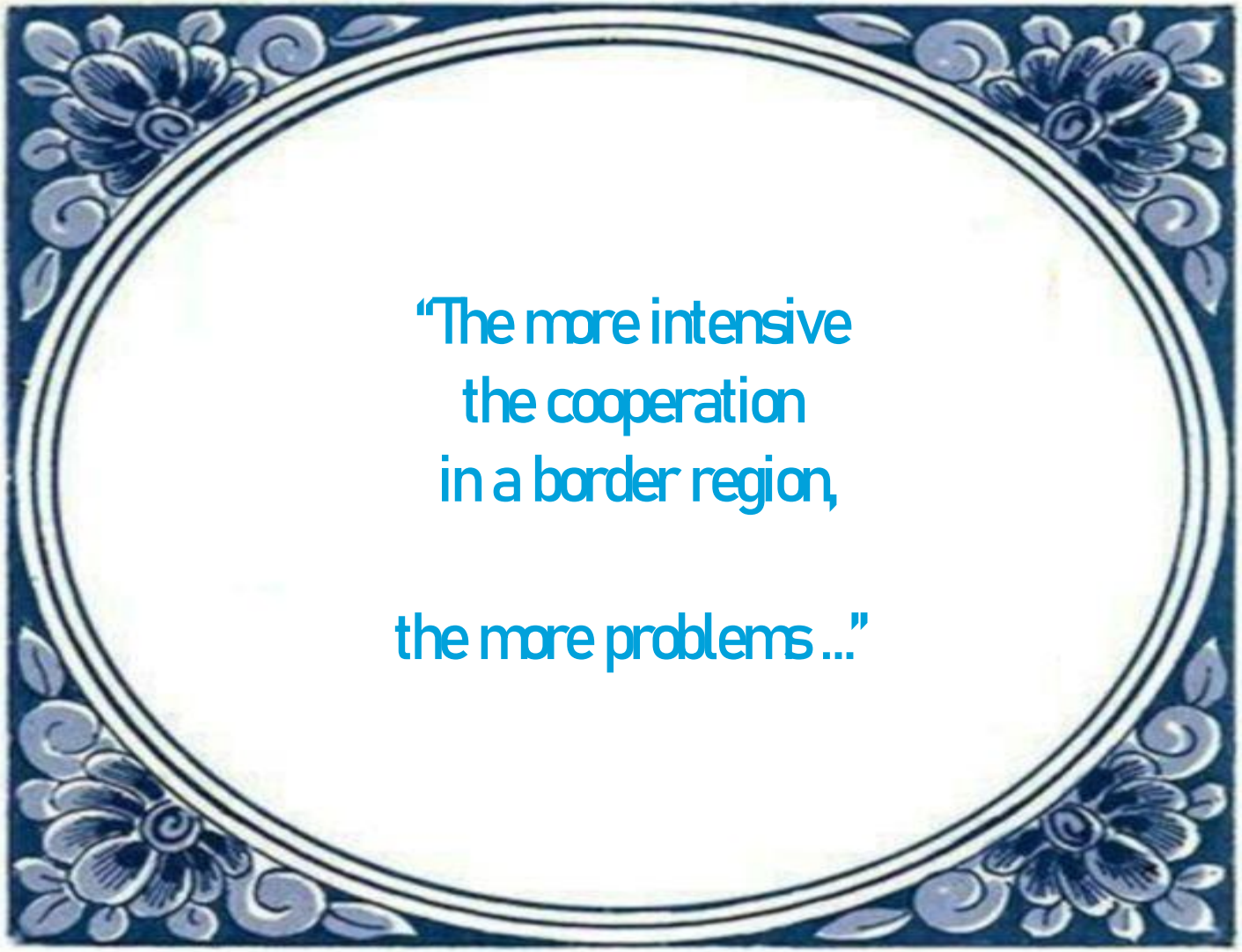
Management of legal obstacles in the European Union: good practices

Martin Unfried, ITEM

Senior Researcher

Institute for Transnational and Euregional Cross border Cooperation and Mobility / ITEM at Maastricht University




"The more intensive
the cooperation
in a border region,
the more problems ..."

ITEM Cross-border

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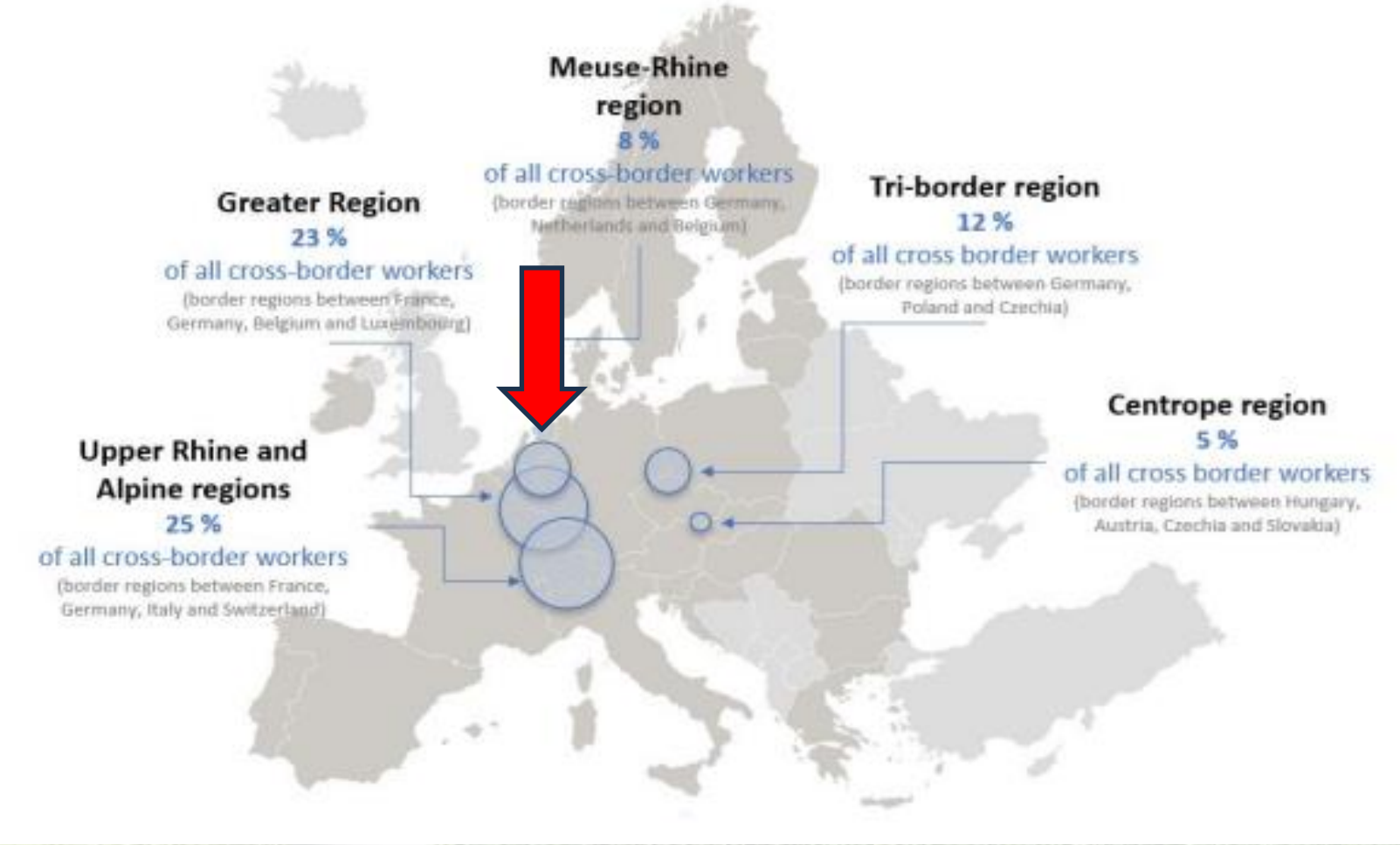
Example: Labor markets



Two sides of same coin

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Ex-ante

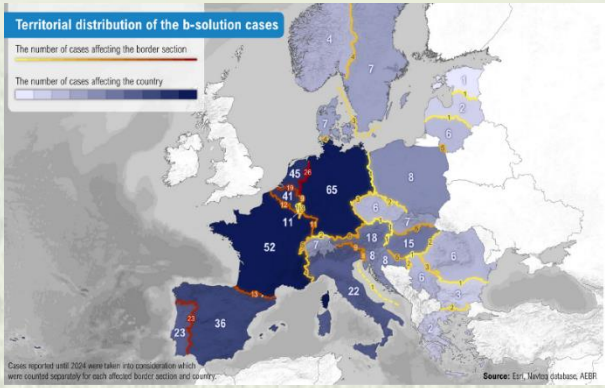
- Cross-Border Impact Assessment
- Specific TIA Methodology
- Mandatory requirement in the Netherlands
  - step-based approach

Research themes	Principles	Benchmark	Indicators
1. European integration	European integration, European citizenship, Non-discrimination	No border controls, open labour market, facilitated recognition of qualifications, adequate coordination of social security facilities, taxes	Number of border controls, cross-border commuting, duration and cost of recognition of diplomas, access to housing market, etc.
2. Socioeconomic /Sustainable development	Regional competitive strength, Sustainable development of border regions	Cross-border initiatives for establishing companies, Euregional labour market strategy, cross-border spatial planning	Euregional: GDP, unemployment, quality of cross-border cluster, environmental impact (emissions), poverty
3. Euregional cohesion	Cross-border cooperation/Good Governance, Euregional cohesion	Functioning of cross-border services, cooperation with organizations, coordination procedures, associations	The number of cross-border institutions, the quality of cooperation (in comparison to the past), development of Euregional governance structures, quantity and quality of cross-border projects

Ex-post

Obstacle removal mechanisms

- Analysis, b-solutions
- Instruments: Benelux instruments, Facilitation tool?
- Pilot Coordination Point
- procedure/analysis/agenda setting



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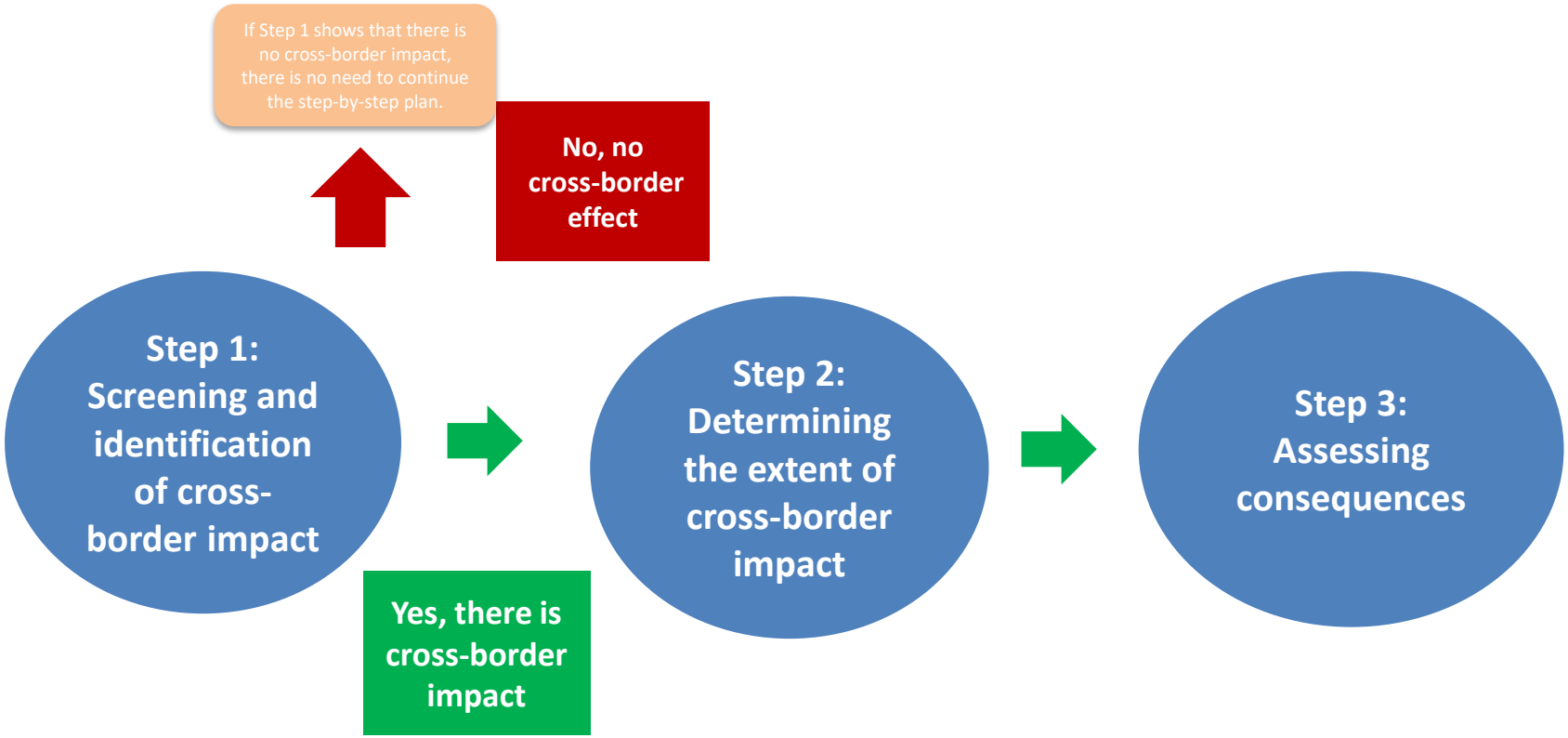
New legislative proposals

Guideline Border Effects (Min Interior, NL)

Obligation since summer 2021



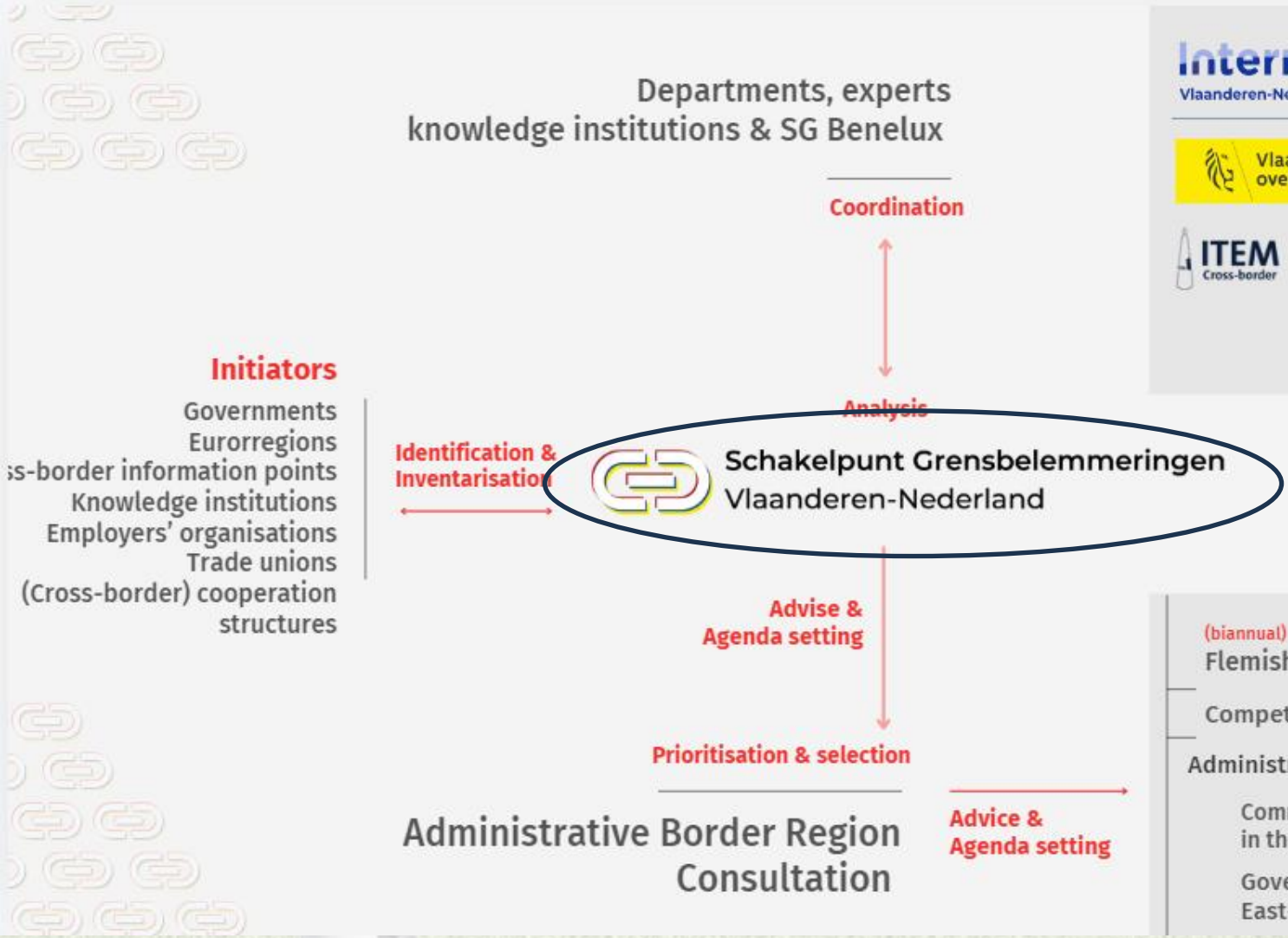
Zie https://www.kcbr.nl/beleid-en-regelgeving-ontwikkelen/beleidskompas/achtergrond-beleidskompas/verplichte-kwaliteitseisen/grenseffecten

Ex Post:

Public authorities can submit their cross-border problem

First Examples?

- Social water tariff across the border- data protection?
- Inspection of housing for migrant workers across the border
- Fireworks – restrictions in NL, sale in Belgium
- Subsidy across the border for a music competition…

Quick Scan – full Analysis – decision political priority – agenda setting

Ex Post:
Cross-Border Coordination Point Flanders-Netherlands