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Frequently Asked Questions on *b-solutions*

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With regard to the application:

1. Who is eligible to apply?

Eligible to apply for the call for proposals are:

- public bodies at the national, regional or local level;
- cross-border structures such as European Groupings of Territorial Cooperation (EGTCs), Euroregions, Eurodistricts, Eurocities and similar cross-border structures with legal personality, even if they are private organisations.

In addition, public bodies and cross-border structures must:

- be located in an EU Member State (or neighbouring EFTA country);
- share at least one EU internal land border with another EU Member State/EFTA country;
- have the mandate (legal competence) to intervene in certain areas and territories.

2. Are “public equivalent bodies” eligible to apply?

Yes, public equivalent bodies as defined at art. 2(1) of the [Directive 2014/24/EU](#) are eligible to apply.

Part of this category are legal bodies governed by public or private law and having the following features:

- They are established for the specific purpose of meeting needs in the general interest and without any industrial or commercial character;
- They have legal personality;
- They are either financed, for the most part, by the state, regional or local authorities or other bodies governed by public law, or subject to management supervision by those bodies, or have an administrative, managerial or supervisory board, in which more than half of the members are appointed by the State, regional or local authorities or by other bodies governed by public law.

3. What are the general eligibility criteria?

b-solution general eligibility criteria are the following:

- the application form has been submitted electronically via the dedicated webpage before the deadline indicated in the present call for proposals;

- the application form is completely filled in English;
- the applicants correspond to the applicant's profile detailed under section 3 of the present call for proposals.

4. Is the creation of a partner consortia a prerequisite?

No, a partnership is not a prerequisite to apply. If desired, the application can involve one or more co-applicants, preferably from the other side(s) of the border.

Private bodies can participate in the application as co-applicants, but the responsible for the application must be a public body.

Please note that co-applicants must be directly involved in the identified obstacle (e.g. a hospital if the obstacle is the access to health infrastructure).

A natural person cannot be, in any case, considered as a partner.

There is no maximum limit to the number of partners.

5. Are maritime borders with a land connection-like a bridge-eligible?

Eligibility of regions is related to the Communication of the European Commission ['Boosting Growth and Cohesion in EU Border Regions'](#). This communication provides a map of the terrestrial border regions along internal EU27 and EFTA borders on page 3.

Being *b-solutions* a follow up action of the Communication, the same criteria apply here. In this light, the border region between Byen København and Skåne Län, including the Øresund Bridge, for example, is considered a land border (NUTS 3 regions SE224 and DK011).

6. Are overseas territories eligible?

The 3rd call for proposals for *b-solutions* states on page 15 that eligible "applicants shall be located in an EU Member State (or neighbouring EFTA country) and their territories share at least one EU internal land border with another EU Member State/EFTA country". Therefore, *Overseas Countries and Territories* of the EU (OCT) are not eligible in the framework of this call, as they are associated with the EU and have special relationship with one of the member states of the EU, but they do not form part neither of the EU territory nor of the EU Single Market, and the EU *acquis* does not apply to them.

On the other hand, *Outermost Regions* (OMR) are part of the EU, but there is not a single case of an outermost region bordering a land territory of the EU.

- *Overseas Countries and Territories* (OCT) of the European Union: Aruba (NL), Bermuda (UK), Bonaire (NL), Curaçao (NL), French Polynesia (FR), French Southern and Antarctic Lands (FR), Greenland (DK), New Caledonia (FR), Saba (NL), Saint-Barthélemy (FR), Saint-Pierre and Miquelon (FR), Sint Eustatius (NL), Sint Maarten (NL), Wallis and Futuna (FR).
- *Outermost Regions* (OMR) of the EU: which are part of the EU: Azores and Madeira (PT), Canary Islands (ES), French Guiana, Guadeloupe, Martinique, Saint Martin, La Réunion and Mayotte (FR).

Additionally, there are several special cases, with ad hoc arrangements in their relationship with the EU. In general:

- *Areas that are part of the EU*: Åland Islands, Büsingen am Hochrhein, Campione d'Italia and Livigno, Ceuta and Melilla, UN Buffer Zone in Cyprus, Gibraltar, Helgoland and Mount Athos.
- *Areas that are not part of the EU*: Akrotiri and Dhekelia, Faroe Islands, Channel Islands (Bailiwick of Jersey and Bailiwick of Guernsey), Isle of Man and Northern Cyprus.

7. Can I apply for more than one proposal?

Any applicant or co-applicants can be involved in only one advice case proposal within the same thematic area in the framework of the present call for proposals.

Consequently, applicants and co-applicants can apply for other proposals in other thematic areas.

8. Can I apply if I already applied in the previous calls for proposals?

Yes, you can – both if your application was successful and if it wasn't. Successful applicants of the previous calls for proposals can apply again, provided that they have to inform about a different obstacle.

The new obstacle can be submitted in the same thematic area of the one that have already consultancy or in a different one.

Unsuccessful applicants of the previous calls for proposals are welcome to apply again. As a non-successful applicant to the previous call, you can submit a new case or the same obstacle if still relevant. However, if this had

not passed the eligibility check the previous years, please adjust accordingly to the selection criteria.

9. Can an Interreg project be the subject of a case, or is this a case of double-funding?

Yes, this is possible. If a legal or administrative obstacle arises in relation to the outputs of an Interreg project, this case could be submitted as an obstacle to be solved via *b-solutions*.

It is indeed fine if the subject of the case is funded through European funds – this would not consist of double-funding. A risk of double-funding occurs only if the services offered by participating in *b-solutions* are provided also by another action financed with funds originating from the European Union. Such services which must not be otherwise financed by the European Union include: the preparation of a legal report on the obstacle in object, and specifically the analysis of the legal and administrative framework in which the obstacle arises, the outline of a possible solution, or a preliminary analysis of the applicability of the ECBM to overcome this specific hurdle.

With regard to the selection process:

10. How will the selection procedure look like?

AEBR will perform a first eligibility check.

AEBR will prepare an evaluation report to be submitted and discussed with the European Commission (Border Focal Point), with a proposal of a maximum of 50 selected applications to be implemented.

Secondly, AEBR and the European Commission will perform a joint quality assessments and rank the proposals.

The final list of selected applications will be agreed with the European Commission.

All the applicants will be informed personally about the result of their application.

A list of successful cases will be published also on the European Commission's online platform "[Boosting EU Border Regions](#)" and on the [website](#) of *b-solutions*.

11. What are the criteria for the selection?

In order to be selected, the advice cases must respect the following criteria:

- the application addresses real and documented obstacles of an administrative and/or legal nature hampering cross-border cooperation;
- the obstacle is related to one of the thematic field addressed in the Communication of the European Commission;
- the solution of the obstacle presented would cause a potential increase in cross-border cooperation;
- the applicant or the partners have a mandate to devise solutions;
- the action is, potentially, replicable in other EU internal land borders.

With regard to the implementation:

12. Will the successful cases receive a grant?

No, the selected applicants will not receive grants. The successful cases will be attributed the support of an expert who will cooperate with them in defining the obstacle and possibly finding a solution to it.

The budget of the initiative is a maximum of € 5,000 per case for a maximum of 50 selected cases and it will be used to pay the experts and cover their travel costs.

13. How will the experts be selected?

Expert will be selected through a [call for expressions of interest](#) that AEBR launched on 17 June 2020 and that will remain open until 30 June 2021. Aim of the call is to identify professionals with a proven legal background and knowledge of cross-border matters. Relevant criteria for the assignment will be their expertise, the language proficiency and the understanding of specific territories.

The selection process of the experts will be carried out jointly by AEBR and the EU Commission's Border Focal Point.

14. How will the expert be paid?

The expert will be paid directly by AEBR upon signature of a service contract between the him/her and AEBR.

The amount is a lump sum of € 5,000 for each successful case assigned to the expert. It includes expert's fees as well as travel and accommodation costs allowing for a total of one week of meetings at the premises of the entity. VAT is included.

In case less days are spent at the premises of the case, a different amount will be agreed with the contracting authority, taking in consideration the actual days of travel of the consultant.

15. What is the duration of the implementation?

The general implementation period last up to 3 and a half months. From the beginning of October 2020 to January 2021, participants will have time to coordinate with the expert and provide him or her with the necessary information, organise one week of meetings in the region where the obstacle to be analysed is detected, and receive a report from the expert.

16. How will the experts provide help to the advice cases?

The experts will grant support in defining the obstacle in a clear and systematic way, as well as in identifying a solution and outline a legal framework from which to proceed.

The legal expert attributed to successful applicants would lead, in each advice case, to a case report that will include:

- i) a clear description of the legal obstacle;
- ii) a clear indication of the legal dispositions causing the obstacle;
- iii) a roadmap towards a possible solution;
- iv) a pre-assessment of whether the case could be solved with the ECBM;
- v) Other relevant aspects to the case;
- vi) References and Appendix/Appendices if any.

17. How will they be assigned to the single cases?

AEER will allocate an expert to each selected case and inform the applicant accordingly, taking into consideration the thematic area of the advice case and its local/regional/territorial specificities, the specialized knowledge and background of the expert as well as his/her language(s) proficiency.

18. What are the expected results and outputs of the advice cases?

The main purpose of the present call for proposals is to address cases where interactions across the border are more difficult either because of lack of legislative coherence applicable on both sides of the border, or because of inconsistencies in term of administrative procedures.

In light of this, each case should allow for a definition of the existing obstacle in a clear and systematic way, by outlining which are the provisions from which the hurdle arises.

The final aim is to identify a solution that would lead to overcome the obstacle addressed.

Solutions might entail amendments to the current legal framework or the creation of the pieces of legislation by the conclusion of new agreements, i.e. At a broader level, the applicants are meant to outline the potential increase of cross-border cooperation if the obstacle is solved and to stress the potential replicability of their action on other borders.

19. What kind of reporting activities are envisaged in this call for proposals?

Under this call for proposals, successful candidates will be required to provide only one final report.

This will include the documentation and description of the obstacle performed by the experts.

In particular, each case report will include:

- i) a clear description of the legal obstacle;
- ii) a clear indication of the legal dispositions causing the obstacle;
- iii) a roadmap towards a possible solution;
- iv) a pre-assessment of whether the case could be solved with the ECBM;
- v) Other relevant aspects to the case;
- vi) References and Appendix/Appendices if any.

Together with the report provided by the expert, the advice case will be asked to compile an "Information sheet" to provide an opinion on the cooperation with expert assigned, to give information on the entities that were involved in the analysis and to inform about next steps that the organisation plans to undertake for implementing the proposed solution.

With regard to the initiative *b-solutions*:

20. What are the expected results of *b-solutions*?

b-solutions is expected to provide with:

- Solutions addressing specific legal and administrative obstacles which should be potentially replicable, made available and promoted in other border region across the EU;
- Innovative proposals that can inform further development and implementation of new approaches by regional/national authorities and/or via EU instruments;
- Evidence of increased exchange of information and mutual engagement in border areas;
- Increased understanding of specific obstacles and potential solutions at local/regional/national and EU level.

With its outcomes, *b-solutions* contributes to overcoming the specific, identified obstacle. Yet, it has a broader impact by inspiring similar solutions to be implemented in other border regions. In addition, part of the impact will be a substantial increase in awareness of, and knowledge about, various legal/administrative obstacles to cross-border interactions. This knowledge is disseminated through the compendiums published in conclusion of the implementation of the pilot actions and the analyses of the advice cases. A first edition is published in Spring 2020, a second one will follow in Winter 2021/2022. Furthermore, other outputs will be a set of 3-4 thematic oriented publications on specific fields of interests for policymaking to be published in Winter 2021/2022. Another publication will address a general, non-specialised audience with the objective of raising awareness of cross-border obstacles and solutions to overcome them.

21. How will AEBR disseminate *b-solutions* results?

AEBR will constantly disseminate and communicate the progress and the results achieved by the cases through the online platform "[Boosting EU border regions](#)" and through its main channels (*b-solutions'* [website](#), AEBR's [website](#), AEBR's [Facebook](#) and [Twitter](#) accounts and newsletter).

Two compendiums illustrating main outcomes and relevant analyses of the findings will be published and disseminated via *b-solutions'* communication

channels. The compendiums will be published in two different phases: in conclusion of reporting on the advice cases selected with the second and the fourth call for proposals, respectively.

Furthermore, copies of these outputs will be distributed Europe-wide to raise awareness and promote mutual learning among practitioners of cross-border cooperation and policy makers at a regional, national and European level.

22. What is the Border Focal Point?

The [Border Focal Point](#) has been established in the Directorate General for Regional and Urban Policy (DG REGIO) to coordinate the implementation of the proposed action plan and to provide Member States and other players with support to address border issues. It is composed of Commission experts and provides border stakeholders with a platform to discuss and present border issues and solutions. The Border Focal Point is part of the 10 measures proposed by the adopted Commission Communication "Boosting Growth and Cohesion in EU Border Regions" which aims to highlight ways in which Europe can reduce the complexity, length and costs of cross-border interaction and promote the pooling of services along internal EU borders. The present call for advice cases under *b-solutions* is yet another concrete action proposed in the Communication and now put into practice.

An online professional network to present and discuss legal and administrative obstacles and possible solutions has been created and it is operational since January 2018. You can [register here](#).

23. What is the ECBM?

The European Cross-Border Mechanism (ECBM) is a mechanism to resolve legal and administrative obstacles in a cross-border context that would grant Member State flexibility in the application of legal provisions that allow for the implementation of a cross-border project. In the proposal made by European Commission, neighbouring Member States would have the option to choose to apply, for a specific project to be realised in the cross-border area, the laws of either one of the Member States involved that allow for its realisation on the whole territory covered by the project. In the limited framework of the project, a Member State could opt to apply the normative provisions of the neighbouring Member State on its own territory. The European Commission has presented a

proposal for a regulation of the European Parliament and the Council in 2018 to adopt such a tool. The text of the proposal is accessible [here](#).