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Frequently Asked Questions on *b-solutions* Version of 5 March 2021

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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 or in the United Kingdom);
- share at least one EU internal land border with another EU Member State/EFTA country/United Kingdom;
- 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 applicant corresponds to the applicant's profile detailed under section 3 of the [present call for proposals](#).

4. What is meant with mandate?

Mandate is meant as legal competence to intervene in certain areas and territories. Therefore, applicants must have legal competence on the legislation or regulatory framework applicable in the field addressed by the specific project, regardless of its source or level.

5. What does it mean that an applicant must have a boundary limiting their territory?

An applicant has a boundary limiting its territory if:

- It is located in an internal land border region;
- It has a the legal competence to intervene on an internal land border region.

6. Which territories are eligible to apply?

Applicants shall be located in an EU Member State (or neighbouring EFTA country or the United Kingdom) and their territories share at least one EU internal land border with another EU Member State/EFTA country/United Kingdom.

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

Following the criteria of the European Commission's Communication ['Boosting Growth and Cohesion in EU Border Regions'](#), maritime borders with a land connection like a bridge or a tunnel are eligible, as they allow for interactions of a similar nature of that of land borders.

You can find a map of the land border regions along internal EU27, UK and EFTA borders on page 3 of the European Commission's Communication ["Boosting Growth and Cohesion in EU Border Regions"](#).

8. Are overseas territories eligible?

The fourth 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 or in the United Kingdom) and their territories share at least one EU internal land border with another EU Member State/EFTA country/United Kingdom". Therefore, *Overseas Countries and Territories* of the EU (OCT) are not eligible in the framework of this call.

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.

9. Are bodies in the UK eligible to apply?

Yes, actors based in the United Kingdom are eligible. According to withdrawal agreement of 7/1-2020 between the European Union and the UK persons or entities established in the UK continue to be eligible to receive Union funds under actions carried out in direct, indirect or shared management, which implement Union programmes and activities committed under the MFF 2014-2020 or previous financial frameworks, until the closure of those Union programmes and activities.

10. Is the creation of a partner consortium 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 a public body must be responsible for the application.

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.

11. 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.

12. 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 has 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.

With regard to the selection process:

13. 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).

Secondly, AEBR and the European Commission will perform 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 applications will be published also on the European Commission's online platform "[Border Focal Point Network](#)" and on the [website](#) of *b-solutions*.

14. What are the criteria for the selection?

AEBR and the European Commission (Border Focal Point) will select applications according to the following criterion:

-the proposed action addresses real and documented obstacles of an administrative and/or legal nature hampering cross-border cooperation in one of the thematic fields addressed in the Communication;

Other criteria are:

- the potential increase in cross-border cooperation if the obstacle is solved;
- the partners' mandate to devise solutions;
- the replicability potential of the action.

With regard to the implementation:

15. Will the successful applicants receive a grant?

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

16. How will the experts be selected?

The experts 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, 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.

17. How will the expert be paid?

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

18. What is the duration of the implementation?

The general implementation period lasts up to 3 months. From April 2021 to end of June 2021, participants will have time to coordinate with the expert and provide him or her with the necessary information, organise and hold the necessary meetings in the region where the obstacle to be analysed is detected, in the premises of the applicant or online, and receive a report from the expert.

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

The experts will grant support in defining and documenting the obstacle clearly and systematically, namely in identifying its legal root causes, 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.

20. How will experts be assigned to the single cases?

AEBR 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.

21. 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 clearly and systematically, by outlining which are the provisions from which the hurdle arises.

The final aim is to identify a solution that would lead to overcoming 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.

22. 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 final report will be composed by two parts:

- i) An "Information sheet", compiled by the applicants, providing an opinion on the cooperation with the 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.

ii)The report of the obstacle performed by the experts (further described in the question "How will the experts provide help to the advice cases").

With regard to the initiative *b-solutions*:

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

b-solutions is expected to provide:

- Solutions addressing specific legal and administrative obstacles which should be potentially replicable, made available and promoted in other border regions 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 to conclude the implementation of the pilot actions and the analyses of the advice cases. A first compendium was published in Spring 2020, and 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 to raise awareness of cross-border obstacles and solutions to overcome them.

24. 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 "[Border Focal Point Network](#)" and through its main channels (*b-solutions*' [website](#), AEBR's [website](#), AEBR's [Facebook](#) and [Twitter](#) accounts and newsletter).

Two compendiums illustrating the main outcomes and relevant analyses of the findings will be published and disseminated via *b-solutions*' communication channels. A first compendium has already been published to

conclude the reporting of the cases selected within the first and second calls for proposals.

A second publication will be compiled at the end of 2021 and will include the findings of the third and fourth calls for proposals.

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

25. 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](#).

26. 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](#).
To find more information on the ECBM you can visit this [page](#).