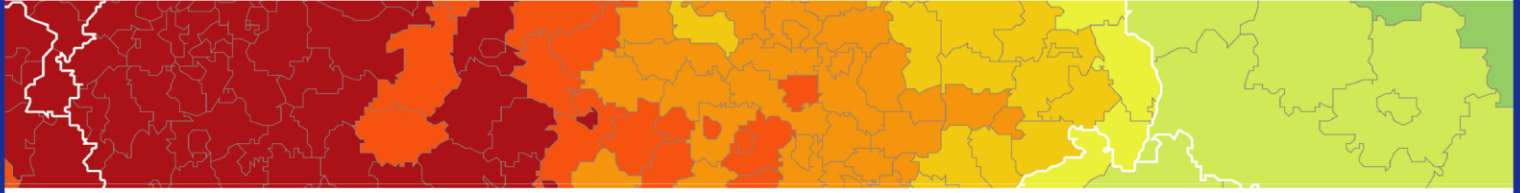


Inspire policy making by territorial evidence



Cross-border Public Services (CPS)

Targeted Analysis

Final Report
Synthesis Report

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Abbreviations

AEBR	Association of European Border Regions
CESCI	Central European Service for Cross-Border Initiatives
CoR	European Committee of the Regions
CPS	Cross-border public services
EC	European Commission
EEA	European Environmental Agency
EGTC	European grouping of territorial cooperation
ESPO	European Territorial Observatory Network
EU	European Union
MOT	Mission Opérationnelle Transfrontalière

Introduction

The ESPON Targeted Analysis “Cross-border Public Services” is implemented under the Specific Objective 2 of the ESPON 2020 Cooperation Programme. The key objective of the project is to support a better delivery of cross-border public services (CPS) and to improve awareness about the added value of CPS. A special focus is on the interests of the project's stakeholders:

- Where are CPS provided along EU borders?
- What services are provided in the case study areas and what is missing in relation to the stakeholders' objectives and needs?
- What are blocking factors hampering the development of CPS in the case study areas?
- What are the development potentials and future needs for CPS in the case study areas? And what are possible access points to exploit these potentials?
- What main policy recommendations can be derived for improving CPS provision?

Methodology

Different data sources were used to compile an inventory of CPS examples, including literature, document and online reviews, stakeholders and practitioners from the case studies, interviews to experts, and a comprehensive online survey. The compiled inventory in form of a database is the first of its kind and includes a total of 579 CPS in Europe, of which for 92 CPS detailed survey answers are available allowing for insights into CPS development and governance processes. In addition, **ten case studies** have been conducted in cross-border regions in different parts of Europe, including varying territorial, regional and administrative frameworks and different border regimes. Altogether 172 CPS have been identified in these ten case study areas. Moreover, **good practice examples** have been identified in the framework of the analysis. Good practices can be a valuable contribution for awareness raising and knowledge transfer.

Key findings

The highest share of CPS provision in Europe has been identified along the borders **between the six founding EU Member States (i.e. the Benelux countries, France and Germany) and Nordic countries**. A high density of CPS provision can also be observed along the German-Czech and (partially) German-Austrian borders, and along the German-Danish border. The relatively high share of CPS along the southern part of the Finnish-Russian border can be explained by more flexible interpretation of the working criteria in one of the case study regions. Other borders show only very few CPS (for instance, Slovak borders or the border between Portugal and Spain). For some borders no or only one or two CPS have been identified (for example, Latvia-Lithuania, Hungary-Romania, Bulgaria-Romania and Bulgaria-Greece). It appears that CPS are mainly present along borders that either

- (i) have a long tradition of cross-border cooperation in areas with high population densities (Western Europe), i.e. high demand for services of any kind, or in contrary in areas

- (ii) with extremely low population densities and long distances between towns and villages, i.e. in areas with difficulties and high pressures for maintaining public services (Scandinavia).

64% of all identified CPS are located along borders between old EU Member States, almost 11% of all CPS along borders between old and new EU Member States, nearly 8% between new EU Member States and 17% between EU and non-EU countries.

Most identified CPS are implemented **between partners from two neighbouring countries, and only rarely involve partners from three or more countries**. Most of the identified CPS covering three or more countries are found in the Nordic countries where multilateral governmental agreements exist.

Most CPS deal with environment protection, civil protection and disaster management and transport. Almost 60% of all identified CPS fall under these three policy fields. 21% of all identified CPS are dealing with environment protection including sewage water treatment, due to the substantial presence of borders crossing natural areas and the existence of many border rivers. Almost the same number of CPS concern civil protection and disaster management and a little bit lower share could be found in the field of transport. The next most important policy fields are healthcare, education and spatial planning, each of which roughly accounts for 10%. Labour market and employment CPS have a rather low relevance, so have CPS on citizenship, justice and public security, while CPS on communication/broadband/information society seem to be the least relevant and account for less than 1%. It can be concluded that the themes addressed in the various CPS either reflect

- (i) regional topographic and natural assets and specificities (e.g. environmental CPS, CPS in civil protection and disaster management);
- (ii) high demand for services (e.g. transport CPS, CPS in spatial planning, tourism and culture, as well as education and training); or
- (iii) urgent political issues (e.g. healthcare and social inclusion, labour market and employment, citizenship, justice and public security)

or a combination of the three factors.

Target groups are very diverse and vary from CPS to CPS. About one third of CPS have a broad or unspecific defined target group. These address either public authorities (about 20%) or the general public (about 13%). Depending on the policy field targeted public authorities include, for example, planning authorities, schools or hospitals, fire brigades or rescue units or police and custom authorities. The largest specific target group are tourists (about 13.5%), which is not surprising since they are often one of the groups targeted by two of the most frequent CPS policy fields, namely environment protection and transport. CPS targeted at pupils, students, apprentices, job seekers and cross-border workers have a share around 12% each, followed by almost 7% of services addressing needs of economic actors and

enterprises. More than 5% of all CPS are targeted at people requiring medical or permanent care, which can be exclusively attributed to healthcare CPS.

The grounds on which the services were introduced differ largely, but some **needs and motivations** appear frequently. Differentiating the reasons provided by the motivations of CPS provision in the survey reveals that nearly half of the CPS primarily aim at **quality-improvements**; respectively a quarter of survey answers could be attributed mainly to **improving effectiveness** and **improving the efficiency of service provision**.

Beyond the main benefits, CPS have often **other positive effects** and impact more widely in the cross-border area. The following presents some of the more frequently mentioned benefits of CPS covered by the survey:

- CPS contribute to *reducing negative border effects*, for example by enhanced cultural integration, increased understanding of the neighbours or a common understanding on shared issues or needs.
- CPS contribute to *better connections*, not only between people but also by increasing the accessibility to services, provision of missing resources, or by offering a one-stop-shop and thus a simplification in dealing with a variety of border challenges. By increasing the accessibility and the scope of service, the quality of the services can be improved as knowledge and resources from both sides of the border can be better exploited. Thereby different principal motivations can be combined.
- CPS may contribute to *raising awareness of cross-border possibilities* in terms of work, health care, recreation, education etc. This promotion may have a positive effect on the image of the cross-border region and can support regional economic development.

Important for CPS development is a specified need for which a common understanding has been developed by the stakeholders involved. For example, certain CPS in the field of environmental protection or disaster management (e.g. floods) can be **attributed to very specific geographical characteristics of the border area**. Other CPS are more driven by regional socio-economic characteristics or regional development including, e.g. demographic change or economic and labour market imbalances. Depending on the individual challenges border regions are facing, they identify different needs to address for instance reducing numbers of pupils in view of demographic change, offer cross-border public transport to balance labour market imbalances or develop new services for an ageing population.

The good practice examples illustrate a wide **variety of available alternatives for managing, financing and delivering CPS**. Actual service design in terms of the services provided depends on (a) the actual need and (b) on feasibility at a certain moment in a specific cross-border region. The examples of several policy themes show that it is possible to start with single services that may be of small-scale if an all comprehensive CPS is either not necessary or may take too long to indicate potential benefits. Many good practice examples result from previous cooperation that over time has become more comprehensive and

complex. Interreg **funding** often plays an important role in supporting CPS development. Even operating CPS make use of Interreg funding rather frequently to either develop additional service features or upgrade the existing CPS or to acquire additional resources (e.g. new infrastructure). Other typical funding sources for everyday business of CPS are public resources assigned typically to a comparative domestic service and/or income from tariffs and fees by CPS users. Many CPS have been developed making use of existing infrastructure, which in some cases required to add new infrastructure elements, e.g. tube connections.

Taking the importance of territorial characteristics into account, **CPS delivery demands continuous monitoring and adaptations**. CPS establishment takes time and needs regular monitoring whether the needs are still adequately addressed and the supportive administrative and governance frameworks are still applicable. This requires continuous communication and open exchange of information among all stakeholders including CPS providers.

Obstacles and unfavourable framework conditions

Unfavourable legal and administrative framework conditions are the main obstacles during the establishment of a CPS. Survey responses and case studies confirmed that legal and administrative hurdles, such as asymmetric or unclear competences of policy actors and incompatible domestic legislation are the most relevant hurdles. In many cases more than one obstacle has been mentioned. Other obstacles are language barriers (cultural divides), one-sided scarce budgetary resources (economic discontinuity), and mental barriers (socio-cultural divides). These obstacles are the main impediment to develop further CPS, even if a need is perceived. Finally, the lack of a common strategy, or the political will or interest to engage in cross-border activities have been named as additional challenges. Comparing the obstacles within different policy areas no significant differences can be observed.

To overcome these obstacles, **multiple modifications of cross-border legal frameworks are necessary**. Most frequently mentioned is the conclusion of a specific local or regional cooperation agreement between the competent entities organising the public service, followed by the elaboration of a new convention between local and regional authorities. The differences between policy areas are minor.

Independently from the delivery mode, CPS often require **a new cross-border structure or body**. Structures without a new legal personality seem to dominate CPS delivery and often already existing structures are used and adapted, no matter whether existing services on both sides of the border are better coordinated, a domestic service is extended or a completely new CPS is developed.

Summing up, the often **time intensive set-up of CPS can be attributed to a combination of different needs for change that may occur individually or together** referring to legal

frameworks at higher levels or the level of the CPS provision, governance adaptations for developing and implementing the CPS and a change of domestic rules and processes.

Future development of CPS

Survey and case studies shed light on the interest in further developing existing CPS or on setting up new CPS. About 40% of the survey respondents indicated that no plans are currently made to develop future CPS for any of the policy fields.

The analysis of survey responses indicates a shift in the thematic foci of future CPS as compared to the CPS developed until now. Further CPS in the field of transport are planned at various borders where little or no transport CPS have been identified so far. This includes for instance various parts of the Spanish-Portuguese border, the Austrian-Italian border and the Latvian-Estonian border. But also borders with existing transport CPS seem to intend to further integrate cross-border transport by offering more links that can possibly close gaps or developing generally more integrated public transport systems (e.g. for common ticketing). Plans for future CPS in the field of civil protection and disaster management were mostly mentioned for a few borders without or with very local and limited CPS currently identified in this field.

CPS may emerge most likely in the near future in the fields of spatial planning, economic development, tourism and culture. In the field of environmental protection most future CPS may be expected in the intervention fields that already now dominate environment related CPS in Europe. This includes CPS in support of joint nature management, regarding e.g. water bodies, nature parks etc. Positive experience made in various regions across Europe seems to initiate further joint approaches, either in other cross-border areas or aiming to further integrate already existing joint management efforts to more aspects of environmental protection. Similarly, cross-border waste and waste water treatment and fresh water provision can be expected to be dealt with in a cross-border way even more in the future.

Potential future CPS development in the ten case study areas focuses on three themes, namely transport, environment and health care related CPS, despite the very different geographical, economic, political, administrative and socio-cultural characteristics of the ten case study regions. Many border areas have indeed needs for cross-border public service provision in several policy fields at the same time. The different needs only become visible when specifying a CPS within the themes and fields. Motivation of CPS development in the case study areas differs widely and cannot be linked to certain specific spatial structures but depends much more on the specific CPS and existing cooperation. However, some patterns are visible:

- Most transport and labour market CPS are motivated by quality objectives and in particular aim to facilitate cross-border flows.

- For several CPS motivations are multiple. Sometimes they combine different quality related motivations or effectiveness improving motivations.
- In other cases quality and efficiency or effectiveness and efficiency considerations together build the overall motivation. For example, a CPS to open hospital access to citizens from the neighbouring MS, aims to fill a service gap on one side of the border (quality) by extending the territorial scope of an existing service on the other side of the border (efficiency).

These findings indicate that potentials for CPS development derive from different needs and motivations. The actual potential for implementing a certain CPS, nevertheless, depends on the challenges that need to be overcome. As for existing CPS, most obstacles and challenges perceived for future CPS are linked to different legal and administrative systems in the involved countries.

Policy recommendations

In view of the study's findings, policy relevant conclusions do not only derive for EU cross-border regions in general and the case study areas in particular but for other governance levels, addressing different players at EU and at national and regional levels. The following distinguishes these levels and addresses lessons learned, issues of transferability and potential actions of different players in support of CPS development.

Policy Pointers for cross-border institutions, border regions and CPS providers

- Ensure sufficient commitment and capacity for CPS endeavours: CPS require commitment to drive the process. Stakeholders should reflect critically whether they have sufficient commitment and capacity in-house available to drive such a process. Hiring an external advisor may be an alternative. Resources may not draw on Interreg only.
- But use Interreg deliberately for CPS: Cross-border Interreg programmes aim to initiate cross-border actions. Stakeholders who think about establishing a new CPS might use Interreg funding for carrying out preparatory steps or initiating a pilot service.
- Be pro-active and patient! Not everything needs to be solved at once: In the best case CPS development starts with a voluntary action to address a joint need.
 - CPS development needs a starting point, most often from bottom-up. A step-wise approach, starting with “low hanging fruits” helps to develop mutual trust.
 - For first pilot actions or small-scale CPS minimise formalisation, only ensure that sufficient resources are available and a common understanding exists.
 - Consider obstacles as potentials for future CPS and as an opportunity to intensify cooperation.
- Cross-border organisations are important drivers and can assume different roles: They should adjust their activities to existing cooperation in their area, fields of expertise etc.
- Communicate cross-border needs to higher levels: Cross-border structures may intensify the communication of cross-border needs and desired action from higher levels.

- Not every need is addressed best by a CPS: If a need can be solved better domestically, there is no need for a CPS. Domestic public services tend to be more resilient than CPS.

Policy Pointers for national / federal authorities

- Do not shy from asymmetry of responsibilities: Many CPS along borders with these asymmetries show that this challenge can be overcome.
- Strengthen awareness about (cross-)border regions' needs: National and federal authorities have various possibilities to pro-actively support border regions by
 - initiating activities at local level through pilot programmes and projects;
 - supporting cross-border analysis and planning e.g. by asking for cross-border consultations or providing funding for cross-border spatial plans, scenarios or visions;
 - creating funding opportunities for CPS in all policy fields concerned;
 - supporting cross-border initiatives through offering advice and knowledge;
 - contributing to exchange e.g. through conferences, info days, peer-to-peer meetings.
- Listen to (cross-)border regions' concerns and requests.

Policy Pointers for EU institutions and European stakeholders

- Analyses have highlighted repeatedly that Interreg cross-border programmes are an important access point for providing EU level support. Working towards a CPS should be seen as an asset to strengthen cross-border cooperation. Among others, EU institutions should pave the way for CPS through ETC and other measures by
 - favouring CPS related actions in regulations for the 2021-2027 programming period, e.g. by mentioning CPS development as expected and eligible activity;
 - considering CPS as an essential element, e.g. in the priorities, of the programmes rather than using it as a buzz word in programme development;
 - reducing cross-border barriers through an adequate budget for ETC and a favourable regulation addressing these barriers to give ETC programmes the flexibility to better address local and regional challenges that reduce the administrative burdens for beneficiaries and facilitate investment in the diminishing of obstacles;
 - better integrating vertical and horizontal governance levels for considering indirect and intangible effects of CPS development;
 - collecting information on cross-border interaction for a better and more informed decision-making processes,
 - supporting and financing specific European-wide studies, analysis and territorial research on CPS, including a continuation of the approach provided by this study;
 - proposing measures to analyse and overcome any possible obstacles to the effective application of the EGTC instrument as one of the most adequate legal instruments to support CPS.
- Consider thematically focused support: The European wide analysis has indicated some territorial imbalances with quite advanced coverage of CPS in certain policy fields. These

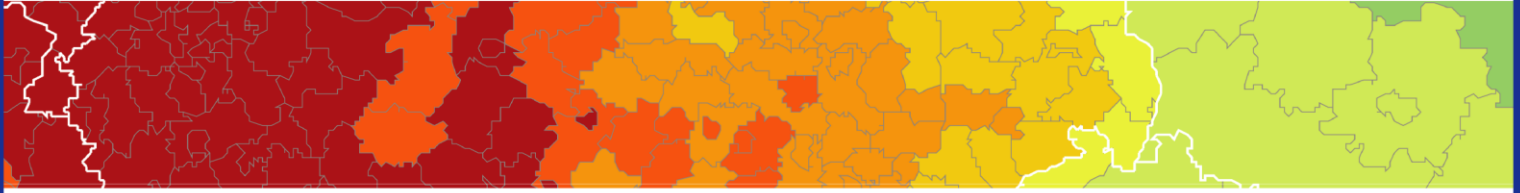
may require further policy-specific analysis and policy-specific awareness raising activities in the territories concerned.

- **Market CPS achievements:** There is already a lot of experience regarding CPS in the EU. European institutions should put more effort in granting access to knowledge on existing CPS and related good practices, in order to coordinate and optimise the results of their work in this area. The newly established EU Commission FUTURIUM platform for boosting EU border regions is a step into the right direction but requires continuous efforts to communicate the benefits of CPS.
- **Provide open access to data and experience:** Last but not least and linked to better marketing of achievements, make actively use of ESPON CPS study results. The different outputs may be of wider interest to various stakeholders. In the medium-long term, an information platform, such as a CPS Expertise Centre, could help to streamline information and data and to support territorial development and quality of life in European border territories.

Proposals for further research

This ESPON study resulted in the first inventory of examples of CPS throughout Europe. This first inventory and understanding of CPS can be further developed in future research:

- **Expanding the database of CPS throughout Europe.** Further research along all European internal and external borders would need to be performed for an even completer picture as developed for the current ESPON study. Furthermore, the current and future databases of CPS would need regular updates.
- **Exploring CPS development and implementation in exclaves and enclaves.** These territories detached from their domestic territory have found specific arrangements for service provision, often covered by agreements at national level. More detailed analysis could provide lessons for general CPS provision.
- **In-depth research on the rationales for CPS development.** Finding on different rationales may subsequently be linked to local and regional territorial developments and trends. This would demand more case study work and interviews.
- **Inventory of existing bilateral agreements** as well as their motivations, facilitating CPS development. Outside the case study areas probably more bilateral agreements exist. A better overview of such bilateral agreements may lead to a better understanding of the possibilities of CPS development across all European borders.
- **Analysing the relationship between voluntary, informal or little formalised cooperation and a formalised CPS.** This aims to precisely identify and describe the point where stakeholders realise that “now we need a formal CPS”, instead of “voluntary cooperation”. This analysis needs to go in-depth for a limited number of selected cases.
- **Assessment of the possibilities to encourage Interreg projects to develop CPS.** An inventory and assessment of these initiatives would help stakeholders further develop their cooperation after Interreg and to establish a CPS.



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